

City of Carpinteria
City Council Regular Meeting Agenda
Monday, July 24, 2023
Council Chamber, 5775 Carpinteria Avenue, Carpinteria, CA 93013

5:30 p.m. Regular Meeting
In-Person and Virtual Participation Options

**AMENDED AGENDA – ADDED CLOSED SESSION AND MOVED
CLOSED SESSION FROM ITEM NO. 1 TO ITEM NO. 19**

Attendance/Viewing Options:

- Attend the in-person meeting in City Council Chambers at City Hall (5775 Carpinteria Ave.).
- View the meeting live through the City's website <https://carpinteriaca.gov/city-hall/agendas-meetings/>) on your computer, tablet or smartphone.
- View the meeting on Government Access Television Channel 21 (broadcast live and rebroadcast on the Wednesday and the Saturday following the meeting at 8:00 p.m. and 5:00 p.m., respectively).
- Call 669-900-9128 (and enter Webinar ID 889 0390 2262) to listen to the meeting on your phone.
- Join the City's Zoom webinar from your computer, tablet, or smartphone by [CLICKING HERE](#). Alternatively, you can join the Zoom webinar by logging on to www.zoom.us, downloading the application, selecting "Join Meeting", and entering Webinar ID 889 0390 2262.

Public Comments

- Provide a live public comment during the in-person meeting in City Council Chambers at City Hall (5775 Carpinteria Ave.). Please note the City has the discretion to limit both the overall and individual speaker time for any meeting or agenda matter. Typically, the Council's practice has been to limit each speaker to three minutes.
- Provide a live comment through the City's Zoom webinar platform (through the link provided above). 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.

- Submit a written comment (as either a general public comment or on a specific agenda item) to be distributed to Council Members by **12:00 P.M. on the day of the meeting** by either submitting your comment via (1) email to PublicComment@carpinteriaca.gov, (**PLEASE NOTE NEW PUBLIC COMMENT EMAIL ADDRESS**) or (2) the **eComment** link on the City's agenda website (<https://carpinteriaca.gov/city-hall/agendas-meetings/>). Please reference the agenda item to which your comment pertains. While written comments become part of the record, they will not be read aloud at the meeting.

Please note that the City will make every effort to make the meeting accessible virtually; however, if one of the above virtual attendance/viewing or public comment options is unavailable due to technological issues, you are invited to take advantage of one of the other participation options outlined above (including attending and providing public comment in-person in the City Council Chambers). Additional options may be made available at the meeting.

Also, please note that Spanish interpretation will be available at the in-person meeting and through the City's Zoom webinar.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

COUNCILMEMBER(S) REQUEST FOR REMOTE PARTICIPATION UNDER AB 2449:

The City Council may consider Councilmember(s) request to participate in the meeting remotely under the regulations of AB 2449 by making the necessary findings and voting on whether the Councilmember(s) may participate remotely.

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.

INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS:

1. Proclamation Celebrating the 50th Anniversary of the Rotary Club of Carpinteria.
2. Proclamation Proclaiming Tuesday, August 1, 2023 as "National Night Out" in the City of Carpinteria.

3. Resolution No. 6257, Congratulating Matt Roberts on His Retirement and Commending and Thanking Him for 36 Years of Loyal and Dedicated Service to the City of Carpinteria.
4. Resolution No. 6258, Congratulating Steve Goggia on His Retirement and Commending and Thanking Him for 18 Years of Loyal and Dedicated Service to the City of Carpinteria.

TEMPORARY ADJOURNMENT FOR THE PURPOSE OF HOLDING THE ANNUAL MEETING OF THE CARPINTERIA PUBLIC IMPROVEMENT CORPORATION (CPIC)

RECONVENE THE REGULAR MEETING OF THE CITY COUNCIL

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.

- a. Status Update on the Work of the City Manager Succession Process Committee
- b. Status Update on the Work of the Senior Services Planning Committee
- c. Status Update on the Harbor Seal Committee

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

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. The audio-visual system in the Council Chamber is not available for speaker use during the general Public Comment period.

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.

CONSENT CALENDAR: 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 please do so during the public comment period provided at the beginning of this item.

5. Approve the minutes of the regular meeting held July 10, 2023.
6. Receive and file the Expenditures for the period beginning July 3, 2023 and ending July 14, 2023.
7. Receive and file Report of Contracts Executed by the City Manager for the Period of June 20, 2023 through July 17, 2023.
8. Receive and file the Monthly City Treasurer's Report on Compliance with Statement of Safekeeping and Investment of Public Funds for June 2023.
9. Receive and file the Quarterly Review of the Pension Stabilization Trust.
10. Adopt Resolution No. 6261, as read by title only, authorizing the destruction of certain accounts payable, payroll, cash receipts, and bank statements.
11. Authorize the City Manager to execute Amendment No. 2 to the Agreement with Cannon Corporation to provide additional services for the 2022 Pavement Rehabilitation Project in the not-to-exceed amount of \$24,542 for a total amended amount of \$672,842. *(This motion requires a roll call vote.)*
12. Authorize the City Manager to purchase an electric street sweeping equipment by Global Environmental Products from Terry Equipment, Inc. in an amount not to exceed \$732,847 and appropriate \$33,000 in 103-431-5761 – Major Equipment. *(This motion requires a roll call vote.)*

ADMINISTRATIVE MATTERS:

13. Code Compliance Quarterly Report Q2, 2023.

Recommendation: Receive and file quarterly report.

Staff Presenter: David Hernandez, Code Compliance Officer II

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

14. Review of home sales prices and adjusting the 2023 in-lieu affordable housing fee pursuant to Carpinteria Municipal Code Chapter 14.75, Inclusionary Housing

Requirement, and, if desired, adopt Resolution No. 6260, as read by title only, adjusting the 2023 affordable housing in-lieu fees for condominiums and single-family dwellings.

Recommendation: Receive and file the report on the City's home sales prices for 2022 and adopt Resolution No. 6260 to adjust the 2023 affordable housing in-lieu fees for condominiums and single-family dwellings.

Staff Presenter: Syndi Souter, Associate Planner

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

15. Designation of Voting Delegate and Alternate for the League of California Cities Annual Conference.

Recommendation: Designate Councilmember Nomura as the City's voting delegate and designate Councilmember Solórzano as the City's alternate voting delegate for the League of California Cities 2023 Annual Conference and Expo in Sacramento.

Staff Presenter: Brian C. Barrett, City Clerk

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

PUBLIC HEARING:

16. Annual Review of Fire Protection Mitigation Fee Program.

Recommendation: Adopt Resolution No. 6259, approving the update of the Fire Protection Mitigation Fee Schedule for Development and accepting the Carpinteria-Summerland Fire Protection District's Annual Report.

Staff Presenter: John L. Ilasin, Public Works Director

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

**CONSIDERATION OF ANY ITEMS REMOVED FROM CONSENT CALENDAR
AND/OR OTHER AGENDA ITEMS REQUESTED TO BE ADVANCED**

MATTERS CONTINUED FROM PREVIOUS MEETINGS: NONE

OTHER BUSINESS:

17. Adopt Resolution Nos. 6263 and 6264, amending the Conditions of Employment for both Miscellaneous Unrepresented Personnel and Management Personnel.

Recommendation: (1) Adopt Resolution No. 6263, amending the Conditions of Employment between the City of Carpinteria and Miscellaneous Unrepresented Personnel for the period of July 1, 2023 – June 30, 2024, and authorize the City Manager to implement the changes effective July 1, 2023, and (2) Adopt Resolution No. 6264, amending the Conditions of Employment for the period of July 1, 2023 – June 30, 2024, between the City of Carpinteria and Management Personnel, and authorize the City Manager to implement the changes effective July 1, 2023.

Staff Presenter: Michael Ramirez, Assistant City Manager

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

18. Adoption of Ordinance No. 768 and Resolution No. 6262 concerning: (a) Amending Municipal Code Chapter 2.20.070 Public Works Department and Chapter 2.20.080 Parks, Recreation, and Public Facilities Departments, to reflect the reorganization; and, (b) Revising the Public Works Director position description to account for the added responsibilities.

Recommendation: (1) Approve first reading of Ordinance No. 768, amending Carpinteria Municipal Code Section 2.20 as follows: (a) Section 2.20.070: Retitle the Street Maintenance Division to Maintenance; retitle Street Maintenance and Right-of-Way Maintenance programs to Street and Right-of-Way Maintenance; establish the Fleet Maintenance program; and establish the Parks and Facilities Maintenance program and (b) Section 2.20.080: Retitle Parks, Recreation, and Public Facilities department and Parks Divisions to Parks, Recreation, and Community Services department; and (2) Adopt Resolution No. 6262, thereby updating the job duties of the Public Works Director to update language and positions supervised. *(This motion requires reading of ordinance title and a roll call vote.)*

Staff Presenter: Michael Ramirez, Assistant 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. Appointees to Other Government Agencies

- a. Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) (Solórzano/Alt. Clark)
- b. California Joint Powers Insurance Authority (CJPIA) (Clark/Alt. Alarcon)
- c. Santa Barbara County Association of Governments (SBCAG)(Clark/Alt. Nomura)
- d. Santa Barbara County Air Pollution Control District (APCD)(Clark/Alt. Nomura)
- e. Central Coast Community Energy (3CE) (Nomura/Alt. Goleta)
- f. Santa Barbara Mosquito and Vector Management District (Joe Franken)
- g. Santa Barbara Metropolitan Transit District (Solórzano)

2. Regional Committees

- a. Channel Counties Division, League of California Cities (Nomura/Alt. Alarcon)
- b. Santa Barbara Joint Affordable Housing Task Group (Alarcon & Solórzano)
- c. Santa Barbara County Elected Leaders Forum to Address Homelessness (Clark/Alt. Alarcon)
- d. South Coast Youth Safety Partnership (Solórzano/Alt. Lee)
- e. Multijurisdictional Solid Waste Task Group (Lee/Alt. Alarcon)

3. Joint and Standing Committees

- a. City Council/Economic Vitality Committee (Alarcon & Lee)
- b. City Council/Public Safety Committee (Clark & Nomura)
- c. City Council/School Board Committee (Lee and Alarcon)
- d. City Council/Utilities Committee (Lee & Nomura)
- e. City Council/First District Supervisor Committee (Lee & Solórzano)
- f. City Council Finance/Budget Committee (Alarcon & 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) (PC: To Be Selected by Planning Commission) (ARB: To Be Selected by Architectural Review Board)
 - i. General Plan and Coastal Plan Update Committee (Joint Committee membership from City Council and Planning Commission) (Lee & Clark) (PC: To Be Selected by Planning Commission)
 - j. Public Facility Site Acquisition/Development Committee (Clark & Nomura)
 - k. City Council Boards, Commissions and Committees Interview Committee (Clark & Nomura/ Alt. Lee)
- 4. Ad Hoc Committees
 - a. Senior Services Planning Committee (Lee & Solórzano)
 - b. Civic/Youth Engagement Committee (Lee & Nomura)
 - c. City Council Housing Element Committee (Clark & Nomura)
 - d. City Manager Succession Process Committee (Clark & Alarcon)
- 5. Appointed Representatives to Area Boards & Committees
 - a. Community Media Access Center (Gary Dobbins)
 - b. County Library Advisory Committee (Gail Marshall)

ATTENDANCE OF COUNCILMEMBERS FOR FUTURE MEETINGS

CLOSED SESSION MATTER

- 19. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Government Code Section 54957(b)(1); Title: City Manager

PUBLIC COMMENT ON CLOSED SESSION MATTERS

TEMPORARY ADJOURNMENT TO CLOSED SESSION

RECONVENE IN OPEN SESSION

CLOSED SESSION REPORT

ADJOURNMENT

The regular City Council meeting of August 14, 2023 has been cancelled and the next regular City Council meeting will be held August 28, 2023 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 (805) 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, located at 5775 Carpinteria Avenue, Carpinteria, CA 93013 or by going to the City's website at <https://carpinteriaca.gov/city-hall/agendas-meetings/>.

This agenda was posted on Wednesday, July 19, 2023, in the City Clerk's Office, on the City Hall Public Notices Board, and on the Internet.



PROCLAMATION

PROCLAMATION OF THE CARPINTERIA CITY COUNCIL CELEBRATING THE 50TH ANNIVERSARY OF THE ROTARY CLUB OF CARPINTERIA

WHEREAS, the Rotary Club of Carpinteria was admitted into Rotary International on July 10, 1973 and received its Charter on September 15, 1973 at the Miramar Hotel in Montecito with the blessing of the other clubs of then District 524; and

WHEREAS, the Rotary Club of Carpinteria has been serving the local and international community for five decades with its motto of "Service Above Self"; and

WHEREAS, the Rotary Club of Carpinteria has supported various projects and causes such as an annual Talent Showcase, local school music programs, coastal erosion surveys, ShelterBox disaster relief, Rise Against Hunger food packaging, polio eradication, Carpinteria and Franklin Creeks cleanup, and many more; and

WHEREAS, The Rotary Club of Carpinteria sponsored the formation of the Rotary Club of Carpinteria Morning Club on June 27, 2000 and continues to sponsor and support the Rotary Interact Club of Carpinteria High School which benefits students by encouraging and fostering the ideal of service and providing opportunity for leadership training, scholarships, and higher education; and

WHEREAS, the Rotary Club of Carpinteria has fostered fellowship, friendship and leadership among its members and partners; and

WHEREAS, the Rotary Club of Carpinteria has exemplified the values and principles of Rotary International, which is one of the world's largest and most influential humanitarian service organizations; and

WHEREAS, the Rotary Club of Carpinteria has celebrated its 50th charter anniversary on July 8, 2023.

NOW THEREFORE, the City Council of the City of Carpinteria congratulates the Rotary Club of Carpinteria on its 50th anniversary and commends it for being a superlative community partner for its ongoing commitment to improving lives in Carpinteria and the world.

IN WITNESS THEREOF, the Mayor hereunto set their hand and caused the official seal of the City of Carpinteria, California, to be affixed this 24th day of July, 2023.

Al Clark, Mayor
City of Carpinteria

ATTEST:

Brian C. Barrett, CMC, CPMC
City Clerk, City of Carpinteria





PROCLAMATION

PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA PROCLAIMING TUESDAY, AUGUST 1, 2023 AS "NATIONAL NIGHT OUT" IN THE CITY OF CARPINTERIA

WHEREAS, the National Association of Town Watch (NATW) sponsors a national community-building campaign on Tuesday, August 1, 2023 entitled "National Night Out"; and

WHEREAS, the National Night Out campaign provides an opportunity for neighbors in Carpinteria to join over 38 million neighbors across seventeen thousand communities from all 50 states, U.S. territories and military bases worldwide; and

WHEREAS, National Night Out is an annual community-building campaign that promotes strong law enforcement-community partnerships and neighborhood camaraderie to make our neighborhoods safer, more caring places to live and work; and

WHEREAS, the Sheriff's Office has partnered with Girls Inc. of Carpinteria to include a Community Table at the National Night Out event where community members can share a meal, converse and build common ground with fellow Carpinterians; and

WHEREAS, it is essential that all neighbors of Carpinteria come together with the Santa Barbara County Sheriff's Office and work together to build a safer, more caring community.

NOW, THEREFORE, the City Council of the City of Carpinteria hereby proclaims Tuesday, August 1, 2023 as "National Night Out" in the City of Carpinteria and invites all neighbors in Carpinteria to join the Santa Barbara County Sheriff's Office, Girls Inc. of Carpinteria, and the National Association of Town Watch in support of the National Night Out event on August 1, 2023 from 5 – 8 pm on the 800 block of Linden Avenue.

IN WITNESS THEREOF, the Mayor hereunto set their hand and caused the official seal of the City of Carpinteria, California, to be affixed this 24th day of July, 2023.

Al Clark, Mayor
City of Carpinteria

ATTEST:

Brian C. Barrett, CMC, CPMC
City Clerk, City of Carpinteria





RESOLUTION NO. 6257

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF CARPINTERIA CONGRATULATING
MATT ROBERTS ON HIS RETIREMENT
AND COMMENDING AND THANKING HIM
FOR 36 YEARS OF LOYAL AND
DEDICATED SERVICE TO
THE CITY OF CARPINTERIA**

WHEREAS, Matt Roberts has announced his retirement as Parks, Recreation and Public Facilities Director for the City of Carpinteria on August 18, 2023, and the City Council on behalf of the people of the Carpinteria community, wish to express their appreciation to Mr. Roberts and recognize his thirty six year tenure as a vital member of the City of Carpinteria organization; and

WHEREAS, Matt's career with the City started on April 1, 1987 as a part-time Lifeguard Supervisor where he was responsible for the transition of contract lifeguard services from the California Lifesaving Association to a City function; and

WHEREAS, his knowledge in both beach safety and beach maintenance and his resourcefulness and attentiveness in effectively carrying out the performance of his duties was instrumental in establishing the City's beach operations, Lifeguard, Jr. Lifeguard and beach maintenance programs; and

WHEREAS, Matt became the part-time Beach Superintendent in 1991 and in 1994 was promoted to part-time Senior Beach Superintendent; and

WHEREAS, Matt Roberts was promoted to the full-time position of Community Services Manager on January 22, 1996, after having met the qualifications for promotion to a managerial position; and

WHEREAS, on July 1, 1998, the Community Services Manager position was reclassified to Parks and Recreation Director and on November 12, 2019 the position title was changed to Parks, Recreation and Public Facilities Director, the position Matt has held until his retirement; and

WHEREAS, Matt has served the Carpinteria community as a key member of the City's emergency management team, carrying out disaster response and recovery for myriad events, such as the El Niño floods in 1995 and 1998, the severe winter storm of 2005, the wind storm of 2006, the Thomas Fire and flood of 2017-18, the Pandemic of 2020-22, and the winter storms of 2023; and

WHEREAS, Matt Roberts has left a lasting and positive legacy on the City organization and Carpinteria community, advocating for and successfully implementing the City's aquatics and ocean recreation programs; and

WHEREAS, Matt Roberts has played a critical role in securing grants for the acquisition and improvement of more than half of the City's parks, open space and trails system, which now is approaching 200 acres and is unparalleled in scope and beauty for a City the size of Carpinteria; and

WHEREAS, Projects such as the Carpinteria Bluffs Nature Preserve, the Rincon Bluffs Preserve, Tomol Interpretive Play Area, Carpinteria Creek Park, Seaside Park; the Carpinteria Garden Park; and the Carpinteria Coastal Vista Trail are enjoyed by the public today due in no small part to the vision and hard work of Matt Roberts; and

WHEREAS, since his employment with the City, Matt has demonstrated a willingness to do whatever it takes to get the job done and, in doing so, has been recognized as an effective leader and a team player whose commitment and loyalty, along with his positive and supportive attitude and high work ethic, have made him an outstanding employee and a valuable asset to the Carpinteria community.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The above recitals are true and correct, and incorporated herein by reference.

SECTION 2. Matt Roberts is congratulated on his well-deserved retirement and commended and thanked for his long and stellar service to the City organization and the Carpinteria community.

SECTION 3. The City Council extends its best wishes to Matt Roberts and his family on behalf of the citizens of Carpinteria on this occasion and looks forward to hearing of his enjoyment and relaxation in the years ahead.

PASSED, APPROVED, AND ADOPTED this 24th day of July, 2023.

ATTEST:

Brian C. Barrett, CMC, CPMC
City Clerk, City of Carpinteria



Al Clark, Mayor, City of Carpinteria



RESOLUTION NO. 6258

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CARPINTERIA
CONGRATULATING STEVE GOGGIA
ON HIS RETIREMENT AND COMMENDING
AND THANKING HIM FOR 18 YEARS
OF LOYAL AND DEDICATED
SERVICE TO THE CITY OF CARPINTERIA**

WHEREAS, Steve Goggia has announced his retirement as Community Development Director for the City of Carpinteria on August 18, 2023, and the City Council on behalf of the people of the Carpinteria community, wish to express their appreciation to Mr. Goggia and recognize his eighteen years as a vital member of the City of Carpinteria staff; and

WHEREAS, Steve has brought over 20 years' experience and knowledge in land use planning to the City when he accepted the position of Senior Planner beginning in August of 2005; and

WHEREAS, after the retirement of the former Community Development Director in late 2015, Steve was named Acting Community Development Director and on March 28, 2016 was named Community Development Director, the position he has held until his retirement; and

WHEREAS, during his tenure, Steve has been very successful in leading the City's planning team to assist applicants through the development review and permitting processes, and to provide staff support to the Architectural Review Board, Planning Commission and City Council in their respective decision-making processes; and

WHEREAS, under Steve's leadership the City's vision of a balance between the built and natural environments through sensitive planning that allows a small town, rural identity to flourish, made significant progress; and

WHEREAS, Steve was responsible for the hiring of Chief Building Inspector and Plans Examiner, Dan Chepley; Principal Planner, Rita Bright; Associate Planner, Syndi Souter; Associate Planner, Marysol Smith; Associate Planner, Lucy Graham; Code Compliance Supervisor, Ron Alonzo; and Code Compliance Officer II, Henry Menendez; and

WHEREAS, in his role as Community Development Director, Steve has fostered and maintained a professional, positive, fun and productive department, providing valuable guidance and mentorship to department and other city staff through challenging and busy times; and

WHEREAS, Steve has been instrumental in the development and successful adoption of numerous City Ordinances, including but not limited to, Accessory Dwelling Units; Formula Businesses; Condominium and Cooperative Conversions; Flavored Tobacco Ban; and Short-term Rentals; and

WHEREAS, as Community Development Director, Steve has taken the lead role in the City's ongoing work to update its General Plan/Coastal Land Use Plan and Housing Element; and

WHEREAS, Steve has successfully written or co-written multiple grant applications resulting in the awarding of over \$1.25 million in state funds to aid in the City's long range planning efforts related to housing and coastal resource protection; and

WHEREAS, during Steve's time as Senior Planner and Community Development Director, he worked on a number of important projects that have provided critically-needed housing including Dahlia Court Phase II and Casas de las Flores; successful commercial developments including the Albertson's Expansion and Casitas Plaza Shopping Center remodel; regionally important transportation improvements such as the Linden-Casitas Interchanges and Via Real Extension Project and the Highway 101 HOV Lane projects; and beloved community and recreational facilities including Carpinteria Creek Park, the Palm to Linden Trail and the Tomol Interpretive Play Area.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The above recitals are true and correct, and incorporated herein by reference.

SECTION 2. Steve Goggia is congratulated on his well-deserved retirement and commended and thanked for his long and stellar service to the City organization and the Carpinteria community.

SECTION 3. The City Council extends its best wishes to Steve Goggia and his family on behalf of the citizens of Carpinteria on this occasion and looks forward to hearing of his enjoyment and relaxation in the years ahead.

PASSED, APPROVED, AND ADOPTED this 24th day of July, 2023.

ATTEST:

Brian C. Barrett, CMC, CPMC
City Clerk, City of Carpinteria



Al Clark, Mayor, City of Carpinteria

CARPINTERIA PUBLIC IMPROVEMENT CORPORATION (CPIC)
5775 Carpinteria Avenue
Carpinteria, CA 93013

MEETING AGENDA
MONDAY, JULY 24, 2023
5:30 P.M.

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1. Call to order and roll call.
 2. Confirmation of legal noticing and procedural requirements of meeting.
 3. Public Comment – This is the time for public comments on matters not otherwise on the agenda but within the subject matter of CPIC.
 4. Confirmation of Officers for Fiscal Years 2023-24 and 2024-25.
 5. Approval of minutes of regular annual meeting held July 25, 2022.
 6. Receive and File the CPIC Annual Report.
 7. New Business.
 8. Adjournment.

The CPIC agenda and associated staff report will be available on Thursday, July 20, 2023 on the City's Website: <https://carpinteriaca.gov/city-hall/agendas-meetings/>. The CPIC agenda and staff report are part of the City Council agenda for its regular meeting of July 24, 2023. Please see "TEMPORARY ADJOURNMENT FOR THE PURPOSE OF HOLDING THE ANNUAL MEETING OF THE CARPINTERIA PUBLIC IMPROVEMENT CORPORATION (CPIC)." Details and procedures on how to provide public comment and participate in the meeting through telephonic means are available on the posted City Council agenda at <https://carpinteriaca.gov/city-hall/agendas-meetings/>.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact Brian Barrett, City Clerk at brianb@carpinteriaca.gov or (805) 755-4403. Notification two business days prior to the meeting will enable the City to make reasonable arrangements for accessibility to this meeting.

CARPINTERIA PUBLIC IMPROVEMENT CORPORATION (CPIC)
5775 Carpinteria Avenue
Carpinteria, CA 93013

ANNUAL MEETING MINUTES
MONDAY, JULY 25, 2022

1. Call to order and roll call.

President Nomura called the meeting to order at 8:45 pm.

Directors present: Director Natalia Alarcon
Director Gregg A. Carty
Director Roy Lee
Vice President Al Clark
President Wade T. Nomura

Staff members present: Dave Durflinger, Chief Executive Officer
Jena Shoaf Acos, on behalf of Brownstein Hyatt
Farber Schreck, LLP acting as City Attorney of
the City of Carpinteria
Brian C. Barrett, Secretary

2. Confirmation of legal noticing and procedural requirements of meeting.

Secretary Barrett acknowledged that all legal noticing and procedural requirements of the meeting were met.

3. Public Comment

There was no public comment.

4. Approval of minutes of regular annual meeting held July 26, 2021.

Motion by Vice President Clark, seconded by Director Lee, to approve the minutes of the regular annual meeting held July 26, 2021. The voice vote was as follows:

AYES: Director Alarcon, Director Clark, Director Lee, Vice President Clark,
and President Nomura
NOES: None
ABSENT: None
ABSTAIN: None

The motion carried unanimously.

5. Receive and File the CPIC Annual Report.

Report received and filed.

6. New Business.

There was no new business.

7. Adjournment.

President Nomura adjourned the meeting at 8:46 p.m.

Brian C. Barrett, CMC, CPMC
CPIC Secretary



City of Carpinteria

CARPINTERIA PUBLIC IMPROVEMENT CORPORATION BOARD MEETING July 24, 2023

ITEM FOR BOARD CONSIDERATION

Carpinteria Public Improvement Corporation (CPIC) Annual Report.

STAFF RECOMMENDATION

Receive and file the annual report.

Sample Motion: I move to receive and file the annual report.

BACKGROUND / DISCUSSION

The Carpinteria Public Improvement Corporation was established in July 1988 as a public non-profit corporation to provide a funding mechanism for development of certain capital improvements through a lease-purchase arrangement with the City and issuance of certificates of participation (COP) by the corporation. In July 1988, \$2,015,000 in COPs were issued by the corporation to be repaid through semi-annual lease payments by the City. The \$2 million in proceeds (less \$99,960 in discount on issue) plus the interest earned was used for construction and delivery of a variety of capital improvements such as the construction of the community swimming pool, expansion of El Carro Park, City Hall improvements, and construction of Parking Lot No. 3. All construction and delivery was completed at the end of FY 1989-90. The COPs were paid in full in March 1, 2018.

Even though there are currently no bonds or COPs outstanding for the CPIC, it is necessary to continue holding the annual meetings if the CPIC entity is to continue. State law requires that the CPIC consider its annual report at a public meeting of the Board. This staff report serves as the annual report and the Board meeting was properly noticed in the local newspaper.

FINANCIAL CONSIDERATIONS

No fiscal impact as a result of this action.

Staff Contact: Licette Maldonado, Treasurer
805) 755-4448, licettem@carpinteriaca.gov


Signature

Reviewed by: Dave Durlinger, Chief Executive Officer
(805) 755-4400, daved@carpinteriaca.gov


Signature

**City of Carpinteria
City Council Minutes
Regular Meeting
Monday, July 10, 2023**

In-Person and Virtual

CALL TO ORDER

Mayor Clark called the meeting to order at 4:30 pm.

ROLL CALL

Councilmembers present: Councilmember Roy Lee
 Councilmember Wade T. Nomura
 Councilmember Mónica J. Solórzano
 Vice Mayor Natalia Alarcon
 Mayor Al Clark

Staff members present: Dave Durflinger, City Manager
 Brian C. Barrett, City Clerk

PUBLIC COMMENT ON CLOSED SESSION MATTERS

There was no public comment.

CLOSED SESSION

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
 Government Code Section 54957(b)(1); Title: City Manager

TEMPORARY ADJOURNMENT TO CLOSED SESSION

Mayor Clark temporarily adjourned the meeting to Closed Session at 4:31 pm.

CALL TO ORDER

Mayor Clark called the meeting to order at 5:31 pm.

ROLL CALL

Councilmembers present: Councilmember Roy Lee

Councilmember Wade T. Nomura
Councilmember Mónica J. Solórzano
Vice Mayor Natalia Alarcon
Mayor Al Clark

Staff members present:

Dave Durflinger, City Manager
Michael Ramirez, Assistant City Manager
Mack Carlson, on behalf of Brownstein Hyatt Farber
Schreck, LLP acting as City Attorney of the City
of Carpinteria
Brian C. Barrett, City Clerk
Amber Workman, Aquatics Superintendent
Paige Treloar-Ballard, Aquatics Coordinator
Olivia Uribe Mutal, Program Manager
Steve Goggia, Community Development Director
Matt Roberts, Parks, Recreation and Public Facilities
Director
Jody Thomas, City Librarian
Erin Maker, Environmental Program Manager

CLOSED SESSION REPORT

Legal Counsel Carlson announced that there was no reportable action from the Closed Session.

PLEDGE OF ALLEGIANCE

Mayor Clark led those present in the salute to the flag.

COUNCILMEMBER(S) REQUEST FOR REMOTE PARTICIPATION UNDER AB 2449

There were no Councilmember requests for remote participation under AB 2449.

AGENDA MODIFICATIONS

Mayor Clark proposed moving Item No. 10 as the first item under Other Business, immediately before Item No. 8. The Council agreed to modify the agenda accordingly.

INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS: NONE

TEMPORARY ADJOURNMENT FOR THE PURPOSE OF HOLDING THE MONTHLY MEETING OF THE CARPINTERIA LIBRARY BOARD OF TRUSTEES

Mayor Clark temporarily adjourned the meeting at 5:34 pm.

RECONVENE THE REGULAR MEETING OF THE CITY COUNCIL

Mayor Clark reconvened the meeting at 5:40 pm.

PUBLIC INFORMATION REPORTS AND ANNOUNCEMENTS

Lieutenant Butch Arnoldi with the Santa Barbara County Sheriff's Department provided an update on crime in the City.

CITY MANAGER'S REPORT

- a. Introduction of Paige Treloar-Ballard, Aquatics Program Coordinator in the Parks, Recreation and Public Facilities Department

Aquatics Superintendent Workman introduced Paige Treloar-Ballard, Aquatics Program Coordinator.

- b. Status Update on the Work of the Senior Services Planning Committee

Assistant City Manager Ramirez provided the following update on senior programming:

- A Request for Proposals (RFP) for Consulting Program Design & Implementation Services for the Establishment of An Active Adult / Senior Center and Related Programming went out recently and is available at www.carpinteriaca.gov/seniors and distributed on social channels.
- This RFP is looking for someone to identify sites, engage with owners about costs/specifics, do cost/benefit analysis, identify funding sources, partnership opportunities, develop a three-year plan, including a budget model and outreach strategies, and assist with the coordination of existing senior programming.
- The Area Agency on Aging is looking to bring back the preparation and distribution of senior meals at the Vets Hall.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Speakers in-person: Van Fleisher, Valerie Bentz, Lorraine McIntire, and Mike Wondolowski

Emails distributed: Sandra Duncan and Rosalyn Kohute

CONSENT CALENDAR:

Councilmember Lee recused himself on Consent Calendar Item No. 4 and left the Council Chambers at 6:09 pm.

Speakers in-person: Matt Moore (for Consent Calendar Item No. 4)

City Manager Durlinger and Legal Counsel Carlson responded to Mr. Moore's comments.

Motion by Councilmember Solórzano, seconded by Councilmember Nomura, to approve the Consent Calendar Item Nos. 2 through 4.

City Clerk Barrett read aloud the title of Ordinance No. 760.

The roll call vote was as follows:

AYES: Councilmember Nomura, Councilmember Solórzano, Vice Mayor Alarcon, and Mayor Clark
NOES: None
ABSENT: Councilmember Lee (recused on Consent Calendar Item No. 4)
ABSTAIN: None

The motion carried.

2. Approve the minutes of the regular meeting held June 26, 2023.
3. Receive and file the Expenditures for the period beginning June 19, 2023 and ending June 30, 2023.
4. Adopt Ordinance No. 760 (second reading), making changes to the City of Carpinteria's zoning regulations and General Plan/Local Coastal Program regarding regulation of formula businesses and changes to the Carpinteria Municipal Code including the addition of Chapter 14.53 entitled "Regulation of Formula Businesses" and the addition of a new definition to Chapter 14.08; and Adopt Resolution No. 6255, acknowledging receipt of, and accepting, the California Coastal Commission's approval of LCP Amendment LCP-4-CPN-23-0011-1 (Formula Businesses) Project 19-2151-LCPA/ORD; and Determine that approval and adoption of Ordinance No. 760 is exempt from the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3) of the CEQA Guidelines. *(This motion requires reading of ordinance title and roll call vote.)*

Councilmember Lee returned to the dais at 6:18 pm.

ADMINISTRATIVE MATTERS:

5. Receive and act on the recommendations of the City Manager Succession Process Committee to enter into an agreement with Ralph Andersen &

Associates for executive search services for the City Manager position in an amount not-to-exceed \$33,000.

Recommendation: Authorize entering into an agreement with Ralph Anderson & Associates for executive search services for the City Manager position in an amount not-to-exceed \$33,000. *(This motion requires a roll call vote.)*

Program Manager Uribe Mutal presented the staff report and PowerPoint presentation. Fred Wilson of Ralph Andersen & Associates (present via Zoom) introduced himself and answered questions of the Council.

Speakers in-person: Mike Wondolowski and Gail Marshall

Motion by Councilmember Lee, seconded by Councilmember Nomura, to authorize entering into an agreement with Ralph Andersen & Associates for executive search services concerning the City Manager position in an amount not-to-exceed \$33,000. The roll call vote was as follows:

AYES: Councilmember Lee, Councilmember Nomura, Councilmember Solórzano, Vice Mayor Alarcon, and Mayor Clark
NOES: None
ABSENT: None
ABSTAIN: None

The motion carried unanimously.

6. A consultant services agreement between the City of Carpinteria and the Housing Trust Fund of Santa Barbara County, (HTF) for a three-year term in an amount not to exceed \$80,000, for implementation and compliance monitoring of the Workforce Homebuyer Down Payment Loan Program.

Recommendation: Authorize the City Manager to execute a three-year Agreement for Consultant Services with The Housing Trust Fund of Santa Barbara County to implement and monitor compliance of the Workforce Homebuyer Down Payment Loan Program for a not to exceed amount of \$80,000. *(This motion requires a roll call vote.)*

Community Development Director Goggia and Jennifer McGovern, President and CEO Of The Housing Trust Fund of Santa Barbara County (present via Zoom) provided the staff report.

Speakers in-person: Mike Wondolowski

Motion by Councilmember Solórzano, seconded by Councilmember Lee, to authorize the City Manager to execute a three-year Agreement for Consultant Services with The

Housing Trust Fund of Santa Barbara County to implement and monitor compliance of the Workforce Homebuyer Down Payment Loan Program for a not to exceed amount of \$80,000. The roll call vote was as follows:

AYES: Councilmember Lee, Councilmember Nomura, Councilmember Solórzano, Vice Mayor Alarcon, and Mayor Clark
NOES: None
ABSENT: None
ABSTAIN: None

The motion carried unanimously.

7. Resolution No. 6256 establishing Skate Park Operating Hours when the Carpinteria Skate Park is open to the public.

Recommendation: Adopt Resolution No. 6256 establishing Skate Park Operating Hours when the Carpinteria Skate Park is open to the public. *(This motion requires a roll call vote.)*

Parks, Recreation and Public Facilities Director Roberts presented the staff report.

Speakers in-person: Peter Bonning

Motion by Councilmember Nomura, seconded by Councilmember Lee, to adopt Resolution No. 6256 establishing Skate Park Operating Hours when the Carpinteria Skate Park is open to the public. The roll call vote was as follows:

AYES: Councilmember Lee, Councilmember Nomura, Councilmember Solórzano, Vice Mayor Alarcon, and Mayor Clark
NOES: None
ABSENT: None
ABSTAIN: None

The motion carried unanimously.

PUBLIC HEARING: NONE

CONSIDERATION OF ANY ITEMS REMOVED FROM CONSENT CALENDAR AND/OR OTHER AGENDA ITEMS REQUESTED TO BE ADVANCED: NONE

MATTERS CONTINUED FROM PREVIOUS MEETINGS: NONE

OTHER BUSINESS:

The Council heard Item No. 10 before Item No. 8.

10. Request of the County of Santa Barbara for the City of Carpinteria to contribute \$1,411 to County for a share of the cost of a survey to assess voter preferences related to a tax to support public libraries in Santa Barbara County.

Recommendation: Consistent with the recommendation of the Carpinteria Municipal Library Advisory Commission, contribute funding as requested by the County of Santa Barbara. *(This motion requires a roll call vote.)*

City Manager Durflinger introduced the item. City Librarian Thomas introduced Ashley Watkins with the County of Santa Barbara Community Services Department and Carrie Kappel with Legacy Works Group who presented the PowerPoint presentation. Glynn Birdwell, Chair of the City's Library Advisory Commission spoke on the recommendations of the City's Library Advisory Commission.

Speakers in-person: Gail Marshall

Motion by Councilmember Solórzano, seconded by Councilmember Nomura, to contribute \$1,411 for public polling as requested by County of Santa Barbara and include Carpinteria Municipal Library Advisory Commission recommendations (Attachment D). The roll call vote was as follows:

AYES: Councilmember Nomura, Councilmember Solórzano, Vice Mayor Alarcon, and Mayor Clark

NOES: Councilmember Lee

ABSENT: None

ABSTAIN: None

The motion carried.

8. Harbor Seal Advisory Committee Recommendations and related actions.

Recommendation: Receive and file the Carpinteria Harbor Seal Rookery Report and direct staff to take related action(s), as it determines appropriate.

Environmental Program Manager Maker and Parks, Recreation and Public Facilities Director Roberts presented the PowerPoint presentation.

Speakers in-person: Susan Mailheu, Valerie Bentz, Ted Rhodes, Patty Schwartzkopf, Mike Wondolowski, and JoAnne Banks

Speakers via Zoom: David Allen and Andrew Brooks

Emails distributed: Joan Tremblay, Susan Mailheu, Mike Wondolowski, and Patty Schwartzkopf

Motion by Councilmember Lee, seconded by Councilmember Solórzano, to receive and file the Carpinteria Harbor Seal Rookery Report and direct staff to come back at the next Council meeting with the possibility of extending or restarting the Harbor Seal Advisory Committee and forwarding the report to the Carpinteria Open Space Management Advisory Board for review and comment. Upon voice vote, the motion carried unanimously.

Mayor Clark recessed to a break at 8:33 pm and reconvened the meeting at 8:44 pm.

9. Response(s) to a request by Moms Demand Action (MDA) concerning City of Carpinteria secure gun storage legislation.

Recommendation: Direct staff to include in the City's 2024 Work Plan one or more of the following measures to promote gun safety and discourage gun violence in the Carpinteria community: (1) Draft a Secure Gun Storage Ordinance in Carpinteria; (2) Implement a gun safety public information campaign in collaboration with MDA; (3) Organize or participate in a gun buyback event.

Program Manager Uribe Mutal presented the PowerPoint presentation.

Speakers in-person: Caroline Campopiano

Emails distributed: Sandra Duncan

Motion by Councilmember Nomura, seconded by Councilmember Solórzano to direct staff to include in the 2024 Work Plan the following measures to promote gun safety in the Carpinteria community: (1) Draft a Secure Gun Storage Ordinance in Carpinteria; (2) Implement a gun safety public information campaign in collaboration with MDA; and (3) Organize or participate in a gun buyback event. Upon voice vote, the motion carried unanimously.

LEGISLATIVE UPDATE:

City Manager Durflinger provided the most recent update from the League of CA Cities. He noted that SB 423, which the Council already approved submitting a letter on, is being voted on today in Committee. He reported on SB 584 which is a fund for labor force housing whose revenue source would be from a 15% TOT tax across the state.

Councilmember Lee requested a future agenda item regarding street vendors in the Carpinteria community. City Manager Durflinger responded that staff could bring back an item on how other cities are attempting to regulate street vending and conduct enforcement. The Council was in favor to direct staff to return to a future meeting with an item on how other cities are attempting to regulate street vending and conduct enforcement.

COMMITTEE REPORTS, INQUIRIES AND OTHER MATTERS PRESENTED BY COUNCILMEMBERS: NONE

ATTENDANCE OF COUNCILMEMBERS FOR FUTURE MEETINGS

All Councilmembers are expected to be in attendance at the July 24th regular City Council meeting.

ADJOURNMENT

Mayor Clark adjourned the meeting at 9:06 pm.

Al Clark, Mayor

ATTEST:

Brian C. Barrett, CMC, CPMC
City Clerk



City of Carpinteria

COUNCIL AGENDA STAFF REPORT July 24, 2023

ITEM FOR COUNCIL CONSIDERATION

Expenditures for the period beginning July 03, 2023 and ending July 14, 2023.

STAFF RECOMMENDATION

Receive and file Warrant Register for the period of July 03, 2023, through July 14, 2023, pursuant to Carpinteria Municipal Code 2.08.150(F).

DISCUSSION

As part of each regular City Council agenda, a list of all checks (attached) dispersed since the last reporting period is presented to the City Council pursuant to C.M.C. 2.08.150(F). The report is provided for City Council and public information and serves as staff's verification that the expenditures have been reviewed and are within budgeted appropriations.

FINANCIAL CONSIDERATIONS

The warrant register is designed to communicate fiscal activity since the prior reporting period.

ATTACHMENTS

Attachment A: Warrant Register for the period beginning July 03, 2023 and ending July 14, 2023.

Staff contact: Brenda Robinson, Accounting Specialist
(805) 755-4442, BrendaR@carpinteriaca.gov


Signature

Staff contact: Licette Maldonado, Admin Services Dir.
(805) 755-4448, LicetteM@carpinteriaca.gov


Signature

Reviewed by: Dave Durflinger, City Manager
(805) 755-4400, DaveD@carpinteriaca.gov


Signature



Warrant Register

Carpinteria, CA

Date Range: 07/03/2023 - 07/14/2023

Vendor Number Payable # Bank Code: AP Bank-AP Bank	Vendor Name Payable Type Payable Description	Payment Date	Payment Amount	Number
151557 FY24	APWA Invoice FY23-24 MEMBERSHIP DUES	07/06/2023	764.00	101843
23-01-0006 FY23-24	B.E.A.C.O.N. Invoice FY23-24 BEACON MEMBERSHIP DUES	07/06/2023	28,002.00	101844
PRIM02140 PROP02274	CALIFORNIA JPIA Invoice FY23-24 WORKERS COMPENSATION LIABILITY POLICY Invoice FY23-24 ALL RISK PROPERTY INSURANCE POLICY	07/06/2023	510,786.00	101845
INV0004751	DANIEL CORDERO Invoice VETS HALL EVENT 6/24/23 REFUND	07/06/2023	300.00	101846
INV0004750	JOSE ESTRADA Invoice VETS HALL EVENT 6/17/23 REFUND	07/06/2023	300.00	101847
90232391	WEX BANK (76) Invoice JUN23 FUEL FOR CITY VEHICLES	07/06/2023	685.82	101848
0051646 0051950 0052569	ACCESS CONTROL SECURITY INC. Invoice SECURITY AT VETS HALL 4/22/23 Invoice SECURITY AT VETS HALL 5/13/23 Invoice SECURITY AT VETS HALL 6/03/23, 6/10/23, 6/21/23	07/13/2023	994.13	101849
LAC Q4 2023	AMBER KAPLAN Invoice LIBRARY ADVISORY COMMISSION MEETINGS APR-JUN 2023	07/13/2023	120.00	101850
INV0004760	CARPINTERIA VALLEY WATER DISTRICT Invoice SKATE PARK LANDSCAPE METER DEPOSIT	07/13/2023	20,000.00	101851
Carp 6.14.2023	COUNTY OF SANTA BARBARA - PUBLIC WORKS Invoice FY22-23 TRAFFIC SIGNAL MAINTENANCE & REPAIR	07/13/2023	3,882.17	101852
LAC Q4 2023	DANIELLE MANRIQUEZ-OSBORN Invoice LIBRARY ADVISORY COMMISSION MTGS APR-JUN 2023	07/13/2023	90.00	101853
JUL23 0905	EXTRA SPACE STORAGE Invoice UNIT RENT 7/23/23-8/23/23	07/13/2023	550.00	101854
JUN23A 0983 JUN23A 3498 JUN23A 3696 JUN23A 4545 JUN23A 6160 JUN23A 8897 JUN23A 9341	FIRST NATIONAL BANK OF OMAHA Invoice CREDIT CARD PAYMENT-OUM Invoice CREDIT CARD PAYMENT-JT Invoice CREDIT CARD PAYMENT-LM Invoice CREDIT CARD PAYMENT-BB Invoice CREDIT CARD PAYMENT-JI Invoice CREDIT CARD PAYMENT-M. ROBERTS Invoice CREDIT CARD PAYMENT-M. RAMIREZ	07/13/2023	4,218.60	101855
PJI-0207986 PJI-0207987 PJI-0208209	GAME TIME Invoice MONTE VISTA PARK PLAYGROUND EQUIPMENT Invoice MONTE VISTA PARK PLAYGROUND EQUIPMENT Invoice MONTE VISTA PARK 4' BEAR CLIMBER	07/13/2023	335,047.13	101856
LAC Q4 2023	GLYNN BIRDWELL Invoice LIBRARY ADVISORY COMMISSION MTGS APR-JUN 2023	07/13/2023	120.00	101857
105960	IMPULSE ADVANCE COMMUNICATIONS Invoice AUG23 PHONE SERVICES	07/13/2023	1,601.29	101858
INV0004758	MANURAS GEORGE Invoice BP 13970 REFUND DUPLICATE FEE	07/13/2023	500.00	101859

LAC Q4 2023	MARGARET CONNORS Invoice	07/13/2023 LIBRARY ADVISORY COMMISSION MTS APR JUN 2023	120.00	101860
JUN23 7900 0440 8110 0954	QUADIENT FINANCE USA INC Invoice	07/13/2023 POSTAGE FOR CITY HALL 6/12/23-6/20/23	600.00	101861
73067	ROGERS ANDERSON MALODY & SCOTT LLP (RAMS) Invoice	07/13/2023 FY22-23 AUDIT SERVICES PHASE 1	11,000.00	101862
LAC Q4 2023	VIVIANA MORALES Invoice	07/13/2023 LIBRARY ADVISORY COMMISSION MTGS APR-JUN 2023	90.00	101863
INV0004761	MISSIONSQUARE Invoice	07/13/2023 Deferred Compensation Contribution-Part Time Emp	7,855.41	101864
INV0004762	Invoice	MissionSquareEmployee Contributions		
INV0004763	Invoice	MISSIONSQUARE Employee Contributions		
INV0004764	SEIU LOCAL 620 Invoice	07/13/2023 Employee Union Dues Contribution	260.44	101865
INV0004765	UNITED WAY OF SANTA BARBARA COUNTY Invoice	07/13/2023 Employee United Way Contribution	24.00	101866
16H4-XGYL-4MQC	AMAZON CAPITAL SERVICES INC Invoice	07/06/2023 OTTER BOX PHONE CASES A. VEGA, T. GRAY	1,261.37	APA001997
1GC4-DRHT-9HMM3	Invoice	BEACH STORE HATS		
1J71-RJG3-HQG6	Invoice	OFFICE SUPPLIES FOR POOL		
1JXN-7TDP-14JP	Invoice	SUPPLIES FOR JUNIOR LIFEGUARDS		
1K19-9P7K-9D1P	Invoice	OTTER BOX PHONE CASES A. VEGA, T. GRAY		
1MLL-L4HP-664K	Invoice	OTTER BOX PHONE CASES A. VEGA, T. GRAY		
27013	AMERICAN SILKSCREEN INC Invoice	07/06/2023 HATS FOR LIFEGUARDS	1,055.56	APA001998
333769	ANIMAL MEDICAL CLINIC Invoice	07/06/2023 MAY23 EMERGENCY OUT OF CONTRACT VET SERVICES	50.00	APA001999
20646412	BAY ALARM Invoice	07/06/2023 POOL ALARM SERVICES 7/1/23-9/30/23	186.75	APA002000
627210	BIG GREEN CLEANING COMPANY Invoice	07/06/2023 HOMELESS CAMP CLEANUS CARP BLUFFS 6/15/23	850.00	APA002001
627231	Invoice	HOMELESS CAMP CLEANUS CARP CREEK 6/1/23		
1325	BLUESTUDIO INC Invoice	07/06/2023 PROFESSIONAL SERVICES-19-04 CONCHA	5,952.50	APA002002
300003351	CMTA - CALIFORNIA MUNICIPAL TREASURERS ASSOCIA Invoice	07/06/2023 GOVERNMENT ASSOCIATE - INDIVIDUAL	95.00	APA002003
23-082	DISABILITY ACCESS CONSULTANTS INC Invoice	07/06/2023 DACTRAK SUBSCRIPTION	2,000.00	APA002004
391466 FY23-24	ICMA MEMBERSHIP RENEWALS Invoice	07/06/2023 FY23-24 ICMA MEMBERSHIP RENEWAL FEE	1,200.00	APA002005
06/30/2023	JHD PLANNING LLC Invoice	07/06/2023 2023-2031 HOUSING ELEMENT SERVICES 5/1/23-6/30/23	6,000.00	APA002006
INV0004753	LARRY DRIGGERS Invoice	07/06/2023 JUL23 MEDICAL REIMBURSEMENT	691.61	APA002007
2256	LEWIS ENGINEERING Invoice	07/06/2023 PROFESSIONAL SERVICES CARP SEWER THROUGH 3/31/23	36,271.89	APA002008
2281	Invoice	PROFESSIONAL SERVICES CARP SEWER THROUGH 5/08/23		
INV0004752	MARY ANN COLSON Invoice	07/06/2023 JUL23 MEDICAL REIMBURSEMENT	691.61	APA002009
519504919	MISSION UNIFORM SERVICE Invoice	07/06/2023 MAT REPLACEMENT AT POOL 6/19/23	31.57	APA002010
160787	SANTA BARBARA PEST CONTROL Invoice	07/06/2023 JUN23 PEST CONTROL AT POOL	95.00	APA002011

JUN23 700201069122	SO CA EDISON	07/06/2023	8,470.73	APA002012
JUN23 700247140684	Invoice JUN23 ELECTRICITY-101 ASH AVE			
JUN23 700255596559	Invoice JUN23 ELECTRICITY-1 CARPINTERIA TC1			
JUN23 700264659490	Invoice JUN23 ELECTRICITY-100 LINDEN			
JUN23 700291369452	Invoice JUN23 ELECTRICITY-1115 LINDEN AVE B PED			
JUN23 700465507084	Invoice JUN23 ELECTRICITY-MULTIPLE LOCATIONS			
	Invoice JUN23 ELECTRICITY-4950 9TH ST BT HM			
251395	SOLA PRODUCTS	07/06/2023	1,594.25	APA002013
	Invoice BEACH STORE - PURCHASE FOR INVENTORY			
3327	WATER GEAR INC	07/06/2023	1,112.34	APA002014
	Invoice BEACH STORE - PURCHASE FOR INVENTORY			
S79100055	WSP USA ENVIRONMENT & INFRASTRUCTURE INC.	07/06/2023	2,160.00	APA002015
	Invoice LOCAL HAZARD MITIGATION PLAN THROUGH 5/5/23			
146689	ADVANTAGE TELECOM	07/13/2023	69.40	APA002016
	Invoice JUL23 EMERGENCY PHONE LINE SERVICES			
29901	ALL LANGUAGES INTERPRETING & TRANSLATING INC.	07/13/2023	890.00	APA002017
	Invoice 2 INTERPRETERS FOR CC MTG 6/26/23			
2349655	ALLIANT INSURANCE SERVICES	07/13/2023	1,732.00	APA002018
	Invoice FY23-24 ACIP CRIME INSURANCE			
1D19-FC3V-FNJJ	AMAZON CAPITAL SERVICES INC	07/13/2023	639.86	APA002019
1DCN-GXX6-9PDC	Invoice AWARD RIBBONS FOR POOL			
1JXN-7TDP-G4PJ	Invoice MONITOR RISER, DESK TRAY			
	Invoice REPLENISH GENERAL OFFICE SUPPLIES FOR CENTRAL SERV			
892311504	AMERICAN FOOD CORP	07/13/2023	214.58	APA002020
892318805	Invoice SNACKS FOR POOL 4/25/23			
	Invoice SNACKS FOR POOL 7/7/23			
335733	ANIMAL MEDICAL CLINIC	07/13/2023	2,162.51	APA002021
337268	Invoice JUN23 EMERGENCY OUT OF CONTRACT VET SERVICES			
338749	Invoice JUN23 EMERGENCY OUT OF CONTRACT VET SERVICES			
338752	Invoice JUN23 DOG LICENSING ISSUANCE			
	Invoice JUL23 CONTRACTED VET SERVICES			
I500-00909855	ASBURY ENVIRONMENTAL SVCS	07/13/2023	150.00	APA002022
I500-00910899	Invoice DISPOSAL OF OIL/MIXED OILS 3/7/23			
	Invoice DISPOSAL OF OIL/MIXED OILS 3/6/23			
287303896883X07102023	AT&T MOBILITY	07/13/2023	423.08	APA002023
	Invoice JUN23 CITY HALL CELL PHONES			
18152	BOBS BACKHOE & TRUCKING	07/13/2023	37,520.00	APA002024
18153	Invoice CLEAR & GRADE LINDEN TO HOLLY TRAIL			
	Invoice PLACE ROCK, SPREAD MULCH LINDEN TO HOLLY TRAIL			
511892	CARPINTERIA VALLEY LUMBER CO	07/13/2023	87.01	APA002025
511971	Invoice RUBBER GLOVES FOR PUBLIC WORKS			
	Invoice 4X4 PRESSURE TREATED WOOD LINDEN TO HOLLY TRAIL			
CARP CITY JUN23 SERVICE	CARPINTERIA VALLEY WATER DISTRICT	07/13/2023	16,750.58	APA002026
	Invoice JUN23-WATER FOR MULTIPLE LOCATIONS			
7294-740630	CARQUEST OF VENTURA	07/13/2023	109.00	APA002027
	Invoice DIESEL SUPPLEMENT, BIO KLEEN, CITY HALL GENERATOR			
JUL23 001 3011 022093901	COX BUSINESS	07/13/2023	787.25	APA002028
JUL23 001 3011 028030701	Invoice JUL23 CITY HALL TV & INTERNET SERVICE			
	Invoice JUL23 POOL & GARDEN INTERNET-PHONE SERVICE			
10422	EVERSHADE EXTERIOR CLEANING SOLUTIONS	07/13/2023	450.00	APA002029
	Invoice JUN23 CLEANING OF TRASH CANS AT CARP & LINDEN AVE			
3555	EVERYWHERE RIGHT NOW	07/13/2023	770.00	APA002030
	Invoice JUN23 WEBSITE PROGRAMMING CITY HALL & LIBRARY			
	FRONTIER COMMUNICATIONS	07/13/2023	151.60	APA002031

JUL23 209-188-2500-061589-5	Invoice	JUL23 PHONE & INTERNET - LG TOWER		
23-238	GOGOV	07/13/2023	7,704.00	APA002032
	Invoice	FY24 CODE ENFORCEMENT SOFTWARE SUBSCRIPTION		
9755377414	GRAINGER	07/13/2023	149.37	APA002033
	Invoice	REDUCING ADAPTOR, CHIPPING HAMMER DOWNTOWN T BANNE		
SIN029281	HDL SOFTWARE LLC	07/13/2023	30,861.98	APA002034
	Invoice	NEW ACCOUNTS PROCESSED, LICENSE RENEWALS MAILED		
447081	HURLEY OPTICAL	07/13/2023	446.00	APA002035
	Invoice	SAFETY GLASSES FOR M. GONZALEZ		
519416013	MISSION UNIFORM SERVICE	07/13/2023	343.78	APA002036
519549847	Invoice	MAT REPLACEMENT, UNIFORM CLEANING 6/5/23		
519549848	Invoice	MAT REPLACEMENT, UNIFORM CLEANING 6/26/23		
519587536	Invoice	TOWEL & MAT REPLACEMENT-CITY HALL 6/26/23		
	Invoice	MAT REPLACEMENT AT POOL 7/3/23		
600-2023-06	MRS ENVIRONMENTAL INC	07/13/2023	18,747.50	APA002037
	Invoice	JUN23 OIL & GAS ON CALL ENVIRONMENTAL SERVICES		
403129	POLICORE INC.	07/13/2023	15,297.03	APA002038
403130	Invoice	IT SERVICES/EQUIPMENT FOR CITY HALL JUNE 2023		
403131	Invoice	12 ASUS NOTEBOOKS WITH MSOFFICE SUITE		
403135	Invoice	IT SERVICES FOR POOL JUNE 2023		
	Invoice	IT SERVICES/SUBSCRIPTION FOR LIBRARY JUN23		
160108	SANTA BARBARA PEST CONTROL	07/13/2023	130.00	APA002039
160109	Invoice	JUN23 PEST CONTROL AT CITY HALL		
	Invoice	JUN23 PEST CONTROL AT VETS HALL		
131669554-001	SITEONE LANDSCAPE SUPPLY (ALL AROUND)	07/13/2023	21.44	APA002040
	Invoice	PVC MATERIALS FOR LEAK REPAIR MONTE VISTA PARK		
JUN23 700230547624	SO CA EDISON	07/13/2023	1,840.75	APA002041
JUN23 700274833982	Invoice	JUN23 ELECTRICITY-5103 CARPINTERIA AVE		
JUN23 700477662295	Invoice	JUN23 ELECTRICITY-901 CACTUS LN EV EV		
JUN23 700525378417	Invoice	JUN23 ELECTRICITY-901 CACTUS LN LGHT		
JUN23 700604790697	Invoice	JUN23 ELECTRICITY-931 WALNUT AVE & 4851 5TH ST		
	Invoice	JUN23 ELECTRICITY-CAPP AV/CSTS PAS 609		
JUL23 006 514 2700 7	SO CAL GAS	07/13/2023	2,137.60	APA002042
JUL23 014 914 3239 7	Invoice	NATURAL GAS 5305 CARPINTERIA AVE APT B (POOL)		
JUL23 016 913 9500 6	Invoice	NATURAL GAS 5103 CARPINTERIA AVE (FRIENDS OF LIBRA		
JUL23 140 914 3084 4	Invoice	NATURAL GAS 5775 CARPINTERIA AVE (CITY HALL)		
	Invoice	NATURAL GAS 941 WALNUT AVE (VETS HALL)		
203	SOLID WASTE SOLUTIONS INC	07/13/2023	2,297.00	APA002043
	Invoice	JUN23 SB1383, GREEN WASTE, CALRECYCLE SERVICES		
3540912663	STAPLES ADVANTAGE	07/13/2023	193.98	APA002044
	Invoice	4 CASES COPY PAPER		
31798	THE FLAG FACTORY	07/13/2023	544.09	APA002045
31801	Invoice	RAINBOW FLAG FOR VFW HALL		
	Invoice	SERVICE FLAG POLES AT VETS HALL		
76165	THE WHARF	07/13/2023	469.85	APA002046
76193	Invoice	SAFETY BOOTS M. GONZALEZ		
76200	Invoice	2 PAIR SAFETY BOOTS A. VEGA		
	Invoice	SOCKS, INSOLES, BELT R. ESTRADA		
1203	TKM ENGINEERING	07/13/2023	292.50	APA002047
	Invoice	JUN23 TRAFFIC ENGINEERING STAFF AUGMENTATION		
44339	TRAFFIC TECHNOLOGIES LLC	07/13/2023	391.06	APA002048
	Invoice	HARDWARE, TOOLS FOR SIGN WORK, STAPLE GUN, LIGHT		
181871	TRI-CO REPROGRAPHICS	07/13/2023	26.70	APA002049
181872	Invoice	SCANNING COLOR, DEBIND, REBIND 6/28/23		
	Invoice	SCANNING COLOR, DEBIND, REBIND 6/28/23		

181873	Invoice	SCANNING COLOR, FILE RENAME 6/28/23		
		TWO TRUMPETS COMMUNICATIONS	07/13/2023	5,550.00 APA002050
1320	Invoice	JUN23 COMMUNICATIONS SERVICES		
		UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFOF	07/13/2023	188.50 APA002051
620230158	Invoice	JUL23 NEW TICKET CHARGES & DATABASE MAINTENANCE		
		VILLAGE POOL SUPPLY	07/13/2023	409.82 APA002052
46120	Invoice	ACID & TEST STRIPS FOR POOL 6/30/23		
		WEST COAST ARBORISTS INC	07/13/2023	36,543.50 APA002053
1-9138	Invoice	ARBORIST SERVICE VARIOUS LOCATIONS 6/14-6/29/2023		
201383	Invoice	TREE MAINTENANCE 6/1-6/15/2023		
		WILLIAM C. STATLER	07/13/2023	7,750.00 APA002054
INV0004759	Invoice	PREPARE BUDGET & FISCAL POLICIES PHASE 1 6/30/23		
		ZWORLD GIS	07/13/2023	15,477.00 APA002055
2023-0311	Invoice	JUN23 MAPPING/GIS SERVICES		
2023-0327	Invoice	FY23-24 ANNUAL WEBMAP SUBSCRIPTION RENEWAL		
		INTERNAL REVENUE SERVICE	07/13/2023	22,979.03 DFT0003076
PR14 07/13/23	Invoice	PR14 07/13/23 FEDERAL TAX PAYMENT		
		EDD-SIT	07/13/2023	6,639.02 DFT0003077
PR14 07/13/23	Invoice	PR14 07/13/23 SIT TAXES		
		EDD-SDI	07/13/2023	1,743.52 DFT0003078
PR14 07/13/23	Invoice	PR14 07/13/23 SDI TAXES		



City of Carpinteria

COUNCIL AGENDA STAFF REPORT July 24, 2023

ITEM FOR COUNCIL CONSIDERATION

Contracts Executed by the City Manager on behalf of the City for the Period of June 20, 2023 through July 17, 2023.

STAFF RECOMMENDATION

Receive and file Report of Contracts Executed by the City Manager for the Period of June 20, 2023 through July 17, 2023.

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 June 20, 2023 through July 17, 2023.

FINANCIAL CONSIDERATIONS

All contracts entered into are within the appropriated budgeted amounts.

ATTACHMENTS

- A. Report of Contracts Executed by the City Manager

Staff contact:

Brian C. Barrett, City Clerk
(805) 755-4403; brianb@carpinteriaca.gov


Signature

Reviewed by: Dave Durlinger, City Manager
(805) 755-4400; daved@carpinteriaca.gov


Signature

ATTACHMENT A

Report of Contracts Executed by the City Manager Period of June 20, 2023 through July 17, 2023

VENDOR	PURPOSE	AMOUNT
Bengal Engineering, Inc.	Amendment No. 3 to Extend Term of Consulting Engineering Services for Rincon Multi-Use Trail Project to June 30, 2024	\$0.00
TKM Engineering	Consulting City Traffic Engineer Staff Augmentation Services	\$30,000
Street Sweeping Corporation of America	Street Sweeping Maintenance Services	\$18,239.07
Cotton Shires and Associates, Inc.	Soils Engineering & Geology Report Review, Staff Augmentation	\$30,000
Gladwell Governmental Services, Inc.	Update to Records Retention Schedule	\$7,650
MNS Engineers Inc.	City Surveyor Staff Augmentation Services	\$30,000



City of Carpinteria

COUNCIL AGENDA STAFF REPORT July 24, 2023

ITEM FOR COUNCIL CONSIDERATION

Monthly City Treasurer's Report on Compliance with Statement of Safekeeping and Investment of Public Funds.

STAFF RECOMMENDATION

Receive and file the report.

Sample Motion: I move to receive and file the report.

BACKGROUND / DISCUSSION

The City Council is the City of Carpinteria trustees and authorized to make investment decisions concerning public funds that are subject to the Prudent Investment Standard. The Prudent Investor Standard of the California Government Code Section 53600.3 states, "when investing, reinvesting, purchasing, acquiring, exchanging, selling or managing public funds, a trustee shall act with care, skill, prudence and diligence under circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated need of the City, that a prudent person in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the City." The standard or prudence to be used by investment officials shall be applied in the context of managing the overall portfolio.

Trustees are those persons authorized to make investment decisions on behalf of a local agency. Trustees or City Investment Officials, acting in accordance with investment policy and exercising due diligence, shall be relieved of personal responsibility for an individual security's credit risk changes or market price changes, provided deviations from expectations are reported in a timely manner and appropriate action is taken to control adverse developments.

The purpose of this agenda matter is to provide the City Council with the required monthly Treasurer's Report (Attachment A.)

POLICY CONSISTENCY

The City is in compliance with the adopted Statement of Safekeeping and Investment of Public Funds.

FINANCIAL CONSIDERATIONS

Cash Statement: At June 30, 2023, the City held cash and cash investments as shown in the table below.

Table I

<u>CASH ACTIVITY FOR THE MONTH:</u>	
Cash and Investment Beginning of the Month	\$ 22,763,730.49
Cash Receipts	3,026,444.18
Cash Disbursements	(4,205,349.42)
Cash and Investment End of the Month	\$ 21,584,825.25

Investments:

Changes in the market value of treasury securities are inversely proportional to changes in interest rates demanded in the open market (i.e., when rates rise market values fall, when rates fall market values rise.) The sensitivity of a portfolio's market value to these changes in market rates is a function of its days to maturity and its coupon rate. Securities with longer maturities and/or lower coupon rates are more sensitive to changes in market interest rates. As a security matures, changes in its value become less sensitive to market rate changes.

As of June 30, 2023, the portfolio's average days to maturity was 1.95 years, the average coupon rate was 1.79%, the average yield to maturity was 5.0%, the par value was \$11,700,000, and Market Value was \$11,403,259.12.

The City does not intend to sell nor does it have any foreseeable need to sell any securities. The intention of the City's investment policy is to hold all securities to maturity, and securities so held are redeemed at par value resulting in no net market gain or loss.

Attached for City Council review is the Treasurer's Report that details a listing of all the investments and cash activity during the month.

The City of Carpinteria will be able to meet all expenditure obligations that might reasonably be anticipated for the next six-month period January 1, 2024.

LEGAL

This report has been prepared in compliance with California Government Code Sections 53600 and 53646.

PRINCIPAL PARTIES EXPECTED AT MEETING

None.

ATTACHMENTS

Attachment A: City of Carpinteria Monthly Treasurer's Report

Staff contact:

Licette Maldonado, Administrative Services Director
licettem@carpinteriaca.gov; (805) 755-4448



Signature

Reviewed by: Dave Durlinger, City Manager
daved@carpinteriaca.gov; (805) 755-4400



Signature

City Treasurer's Monthly Report

CITY OF CARPINTERIA TREASURER'S REPORT
For the Month Ended June 2023

CASH ACTIVITY FOR THE MONTH:

Cash and Investment Beginning of the Month	\$ 22,763,730.49
Cash Receipts	3,026,444.18
Cash Disbursements	(4,205,349.42)
Cash and Investment End of the Month	<u><u>\$ 21,584,825.25</u></u>

CASH AND INVESTMENT PORTFOLIO:

<u>Type of Investment/Coupon/CUSIP #</u>	<u>Institution/Issuer</u>	<u>Yield to Maturity</u>	<u>Maturity Date</u>	<u># Days to Maturity</u>	<u>Par Value</u>	<u>Market Value (1)</u>	<u>Book Value (2)</u>
Demand Deposit - General Checking	Montecito Bank	N/A	N/A	N/A	118,531.23	118,531.23	118,531.23
Demand Deposit - Premier Public Money Market	Montecito Bank	N/A	7/1/2023	1	2,686,425.80	2,686,425.80	2,686,425.80
Demand Deposit - Section 125 Checking	Montecito Bank	N/A	N/A	N/A	1,159.11	1,159.11	1,159.11
Demand Deposit - Payroll Checking	Montecito Bank	N/A	N/A	N/A	5,000.00	5,000.00	5,000.00
Local Agency Investment Fund	State of California	0.22%	7/1/2023	1	3,476,394.71	3,476,394.71	3,476,394.71
Demand Deposit - Money Market	Charles Schwab	N/A	7/1/2023	1	3,894,055.28	3,894,055.28	3,894,055.28
Treasury Note, 2.75%, (912828Y61)	U.S. Government	0.06%	7/31/2023	31	400,000.00	399,187.48	398,795.22
Treasury Note, 23U, (912796Y37)	U.S. Government	4.83%	8/3/2023	34	250,000.00	248,895.63	244,117.48
Treasury Note, 2.75%, (9128284X5)	U.S. Government	0.01%	8/31/2023	62	400,000.00	398,375.00	399,721.60
Treasury Note, 2.875%, (9128285D8)	U.S. Government	0.67%	9/30/2023	92	250,000.00	248,476.55	249,335.00
Treasury Note, 2.875%, (9128285K2)	U.S. Government	2.20%	10/31/2023	123	250,000.00	247,968.75	252,579.39
Treasury Note, 2.75%, (912828WE6)	U.S. Government	2.23%	11/15/2023	138	250,000.00	247,656.25	252,049.66
Treasury Note, 0.75%, (91282CDR9)	U.S. Government	0.73%	12/31/2023	184	250,000.00	244,414.05	249,993.47
Treasury Note, 2.5%, (9128285Z9)	U.S. Government	0.06%	1/31/2024	215	200,000.00	196,687.50	199,388.94
Treasury Note, 2.375%, (9128286G0)	U.S. Government	0.78%	2/29/2024	244	200,000.00	196,000.00	199,264.00
Treasury Note, 0.25%, (91282CBR1)	U.S. Government	2.17%	3/15/2024	259	250,000.00	241,132.80	240,750.00
Treasury Note, 2.25%, (9128286R6)	U.S. Government	2.41%	4/30/2024	305	250,000.00	243,554.68	249,156.76
Treasury Note, 2.0%, (912828XT2)	U.S. Government	1.11%	5/31/2024	336	250,000.00	242,304.68	255,107.50
Treasury Note, 0.25%, (91282CCG4)	U.S. Government	4.61%	6/15/2024	351	250,000.00	238,007.80	235,669.96
Treasury Note, 3.0%, (91282CFA4)	U.S. Government	4.53%	7/31/2024	397	250,000.00	243,671.88	244,503.55
Treasury Note, 3.25%, (91282CFG1)	U.S. Government	4.30%	8/31/2024	428	250,000.00	244,023.43	245,158.84
Treasury Note, 0.375%, (91282CCX7)	U.S. Government	1.08%	9/15/2024	443	250,000.00	235,625.00	245,359.46
Treasury Note, 2.125%, (912828Y5)	U.S. Government	4.31%	9/30/2024	458	250,000.00	240,390.63	239,586.84
Treasury Note, 0.625%, (91282CDB4)	U.S. Government	4.14%	10/15/2024	473	250,000.00	235,507.80	233,056.64
Treasury Note, 2.25%, (912828G38)	U.S. Government	4.35%	11/15/2024	504	250,000.00	240,000.00	241,052.35
Treasury Note, 1.00%, (91282CDN8)	U.S. Government	0.98%	12/15/2024	534	250,000.00	235,273.43	250,079.39
Treasury Note, 1.125%, (91282CDS7)	U.S. Government	4.09%	1/15/2025	565	250,000.00	235,078.13	237,350.47
Treasury Note, 1.125%, (912828ZC7)	U.S. Government	1.29%	2/28/2025	609	250,000.00	234,335.93	248,740.00
Treasury Note, 2.625%, (9128284F4)	U.S. Government	1.30%	3/31/2025	640	250,000.00	239,921.88	260,224.61
Treasury Note, 0.25%, (912828ZT0)	U.S. Government	1.25%	5/31/2025	701	250,000.00	228,750.00	241,660.01
Treasury Note, 0.25%, (912828ZW3)	U.S. Government	1.53%	6/30/2025	731	250,000.00	228,320.30	239,598.86
Treasury Note, 0.25%, (91282CAM3)	U.S. Government	1.32%	9/30/2025	823	250,000.00	226,406.25	240,265.00
Treasury Note, 3.0%, (9128285J5)	U.S. Government	4.09%	10/31/2025	854	250,000.00	240,390.63	242,136.63
Treasury Note, 0.375%, (91282CBC4)	U.S. Government	1.20%	12/31/2025	915	250,000.00	225,351.55	241,955.00

CITY OF CARPINTERIA TREASURER'S REPORT
For the Month Ended June 2023

Treasury Note, 0.375%, (91282CBC4)	U.S. Government	1.37%	12/31/2025	915	250,000.00	225,351.55	240,365.00
Treasury Note, 3.875%, (91282CGE5)	U.S. Government	3.77%	1/1/2026	916	250,000.00	245,351.55	250,641.19
Treasury Note, 1.625%, (912828P46)	U.S. Government	1.56%	2/15/2026	961	250,000.00	231,640.63	250,595.69
Treasury Note, 0.5%, (91282CBQ3)	U.S. Government	1.28%	2/25/2026	971	250,000.00	224,570.30	242,113.19
Treasury Note, 0.75%, (91282CBT7)	U.S. Government	1.28%	3/31/2026	1005	250,000.00	225,937.50	244,459.30
Treasury Note, 0.75%, (91282CCF6)	U.S. Government	1.34%	5/31/2026	1066	250,000.00	224,531.25	243,702.50
Treasury Note, 0.875%, (91282CCJ8)	U.S. Government	1.35%	6/30/2026	1096	250,000.00	225,234.38	244,821.96
Treasury Note, 1.625%, (91282YQ7)	U.S. Government	4.00%	10/31/2026	1219	250,000.00	228,593.75	227,869.30
Treasury Note, 2%, (91282U24)	U.S. Government	4.31%	11/15/2026	1234	250,000.00	231,250.00	228,317.27
Treasury Note, 1.25%, (91282CDK4)	U.S. Government	1.28%	11/30/2026	1249	250,000.00	225,234.38	249,602.02
Treasury Note, 1.5%, (912828Z78)	U.S. Government	3.64%	1/31/2027	1311	250,000.00	226,484.38	231,040.31
Treasury Note, 2.25%, (912828V98)	U.S. Government	4.29%	2/15/2027	1326	250,000.00	232,460.93	229,819.14
Treasury Note, 2.5%, (91282CEF4)	U.S. Government	3.96%	2/16/2027	1327	250,000.00	234,296.88	235,031.06
Treasury Note, 2.75%, (91282CEN7)	U.S. Government	3.71%	4/30/2027	1400	250,000.00	236,171.88	241,094.62
Treasury Note, 3.25%, (91282CEW7)	U.S. Government	3.70%	6/30/2027	1461	250,000.00	240,429.68	245,668.13
Treasury Note, 3.125%, (91282CFH9)	U.S. Government	4.19%	8/31/2027	1523	250,000.00	239,101.55	238,232.21
Treasury Note, 4.125%, (91282CFU0)	U.S. Government	4.02%	10/31/2027	1584	250,000.00	248,671.88	250,962.10
Treasury Note, 2.25%, (9128283F5)	U.S. Government	4.01%	11/15/2027	1599	250,000.00	230,234.38	232,267.50
					21,881,566.13	21,282,820.99	21,584,825.25

REPORT ON COMPLIANCE WITH STATEMENT OF SAFEKEEPING AND INVESTMENT OF PUBLIC FUNDS

The City is in compliance with the adopted Statement of Safekeeping and Investment of Public Funds.

REPORT OF ABILITY TO MEET REQUIRED EXPENDITURES FOR THE NEXT SIX MONTHS

Based upon currently budgeted revenues and expenditures, the City currently has sufficient liquid financial resources to meet anticipated expenditures during the period 7/01/23 through 1/01/24.

WEIGHTED AVERAGE MATURITY OF PORTFOLIO

As of June 30, 2023 the weighted average days to maturity of the City's investment portfolio is 1.95 years.

FOOTNOTES TO REPORT/DEFINITION OF TERMS:

(1) The market value of U.S. Government Securities was provided by the custodial agent, Charles Schwab.
For the Local Agency Investment Fund the market value represents the contract value.

For all other investments, the market value is equal to book value.

(2) Book value of demand deposits equals the bank balance minus outstanding checks plus deposits-in-transit.

Yield to Maturity (YTM): The percentage rate of return for the note assuming that the City holds the asset until its maturity date. It is the sum of all its remaining coupon payments.

Par Value: Equals face value of security (value of the security when it reaches maturity)

Market Value: The last price for which a security was bought or sold. In this case, the value as of the last day of the month of this report.

Book Value: The amount at which the security is carried in the City's accounting records (adjusted at year-end for GASB 40 reporting purposes).



City of Carpinteria

COUNCIL AGENDA STAFF REPORT JULY 24, 2023

ITEM FOR COUNCIL CONSIDERATION

Quarterly Review of Pension Stabilization Trust.

STAFF RECOMMENDATION

Receive and file the report

Sample Motion: I move to receive and file the report.

BACKGROUND/DISCUSSION

The purpose of the Pension Stabilization Trust is to accumulate, hold, and distribute pension plan assets for the exclusive benefit of retiree pensions within the meaning of IRS Code Section 115. Plan assets are irrevocable and may not be used for any purpose other than the purpose of the Trust. Withdrawal of plan assets is not permitted except to transfer to another trust or to reimburse the City for pension costs paid.

The City's primary objective in establishing the Pension Trust is to control long term costs and volatility on the annual operating budget. The trust provides more flexibility for the City to both level out contributions and mitigate year-to-year contribution volatility.

Plan contributions transfer assets to the Trust, and accordingly, plan assets are not carried on the City's books and are not subject to the City's investments policy. Discretionary Trustee Benefit Trust Company (BTC), with the advice of Morgan Stanley Wealth Management Consulting Group, actively manage plan assets consistent with the Investment Policy Statement. The City's individual trust account is part of a larger Multiple Employer Trust administered by Keenan Financial Services and BTC, referred to as the California Public Entity Pension Stabilization Trust. BTC also provides the City with monthly, quarterly (attached), and annual statements-of-activity of the City's account. The Pension Stabilization Trust utilizes a Board of Authority that provides management and oversight of the Trust with participation by one individual per public

agency. The fees are asset-based, paid monthly, deducted directly from the Trust account, and total 30 bps¹ annually. This is competitive with other comparable plans.

POLICY CONSISTENCY

This matter concerns actions aimed at improving the City's long-term financial position and is consistent with the City's fiduciary responsibilities and goal to deliver services that meet community needs in an efficient and effective manner.

The purpose of this quarterly review is to report the portfolio summary of the City of Carpinteria Pension Stabilization Trust account.

FINANCIAL CONSIDERATIONS

Portfolio Summary:

At June 30, 2023, the City held investments as shown in the table below.

Table 1

		Year to Date (YTD)
Beginning Value		\$1,098,809.05
Net Withdrawals		0.00
Interest		0.00
Dividends		18,045.20
Change in Market Value		57,029.09
Management Fees		(1,710.86)
Ending Value		\$1,172,172.48
Market Value		Asset Allocation
Fixed Income	773,562.14	66.0%
Equities	342,658.40	29.2%
Alternatives	55,951.94	4.8%
Total Account	\$1,172,172.48	100.0%
Inception date: 6/30/18		
YTD: 1/1/2023 - 6/30/2023		

Investments:

At June 30th the portfolio's estimated market value was \$1,172,172.48 quarter to date (net of fees) of 1.95%, year to date (net of fees) of 6.68%, last 12 months (net of fees) -

¹ Basis points pertain to interest rates. One basis point is equal to one one-hundredth of one percentage point (0.01%). Therefore, 100 basis points would be equivalent to 1%.

4.95%, and inception to date (net of fees) of 2.29%. Attached for City Council review is the statement from Benefit Trust as of June 30, 2023.

An initial deposit of \$1 million dollars was invested June 30, 2018. A second deposit of \$52,900 was made September 18, 2018 and the third budgeted deposit of \$76,850 was made on January 15, 2020. There was a disbursement of \$64,031 for FY 2021 and \$28,666 for FY 2022 on October 13, 2021.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

The establishment of the Pension Stabilization Trust Fund is being developed consistent with Section 115 of the Internal Revenue Code. Establishment of the Irrevocable Pension Stabilization Trust Fund mitigates financial risk associated with expected increases in the CalPERS pension rates over the next decade.

ATTACHMENTS

A. June 30, 2023 Performance Report

Staff contact:
Licette Maldonado, Administrative Services Director
licettem@carpinteriaca.gov; (805) 755-4448



Signature

Reviewed by:
Dave Durflinger, City Manager
daved@carpinteriaca.gov; (805) 755-4400



Signature

**ATTACHMENT A
CITY OF CARPINTERIA CA-MUNI-PST
BENEFIT TRUST ACCOUNT**

Asset Allocation



Portfolio Summary

	Year to Date
Beginning Value	\$ 1,098,809.05
Net Contributions	0.01
Interest	-
Dividends	18,045.20
Change in Market Value	57,029.09
Management Fees	(1,710.87)
Ending Value	<u>\$ 1,172,172.48</u>

YTD: 12/31/2022 - 6/30/2023

Performance

	Market Value	Current Yield	Month to Date	Quarter to Date	Year to Date	Last 12 Months	Last 3 Years	Last 5 Years	Inception* to Date
Fixed Income	773,562.14	4.2	0.24	-0.15	3.32	0.93	-3.29	0.86	0.86
Equities	342,658.40	1.5	5.84	6.90	15.40	17.44	8.96	6.97	6.97
Alternatives	55,951.95	3.2	4.90	2.60	5.26	-2.37	7.04	2.53	2.53
Total Account	1,172,172.48	3.4	2.09	2.03	6.84	5.26	0.56	2.60	2.60
Total Account (Net of Fees)		3.4	2.06	1.95	6.68	4.95	0.26	2.29	2.29
S&P 500 TR			6.61	8.74	16.89	19.59	14.61	12.31	12.31
MSCI EAFE			4.58	3.23	12.13	19.41	9.31	4.60	4.60
MSCI ACWI Ex US Net			4.49	2.44	9.47	12.79	7.22	3.52	3.52
BBG Agg (US)			-0.36	-0.85	2.09	-0.94	-3.97	0.77	0.77
BBG Global Agg			-0.01	-1.53	1.43	-1.32	-4.94	-1.08	-1.08
50% MSCI ACWI/ 50% Barclays Agg			2.73	2.66	7.92	7.69	3.48	4.71	4.71

* Inception date: 6/30/2018

Performance for periods greater than one year are annualized.

PORTFOLIO APPRAISAL
CITY OF CARPINTERIA CA-MUNI-PST
BENEFIT TRUST ACCOUNT 7440

June 30, 2023

Quantity	Security	Security Symbol	Unit Cost	Total Cost	Price	Market Value	Pct. Assets	Cur. Yield
FIXED INC MUTUAL FUNDS								
TAXABLE BOND FUND								
15,436.088	BLACKROCK TOTAL RETURN FD BD FD BLKRK CL	MPHQ.X	11.41	176,174.20	9.97	153,897.80	13.1	3.9
9,528.627	GUGGENHEIM FDS TR INVT GD BD INSTL	GIUS.X	18.47	175,992.41	16.19	154,268.47	13.2	4.0
3,258.322	GUGGENHEIM FDS TR MACRO OPPTY R6	GIOS.X	26.25	85,516.21	23.83	77,645.81	6.6	5.7
13,064.052	PRUDENTIAL TOTAL RETURN BD FD	PTRQ.X	14.07	183,812.40	11.84	154,678.38	13.2	4.4
15,311.525	PRUDENTIAL GBL TOTL RTRN FD INC PGIM GBL TTL R6	PGTQ.X	6.83	104,652.26	5.09	77,935.66	6.6	4.1
16,399.156	WESTERN ASSET FDS INC	WAPS.X	11.39	186,824.35	9.46	155,136.02	13.2	3.9
				912,971.83		773,562.14	66.0	4.2
				912,971.83		773,562.14	66.0	4.2
DOMESTIC EQUITY MUTUAL FUNDS								
LARGE CAP FUND								
891.421	ALGER FUNDS CAP APP FOCS Y	ALGY.X	37.88	33,763.65	49.34	43,982.71	3.8	0.1
2,109.567	COLUMBIA FDS SER TR I	COFY.X	28.16	59,415.55	30.43	64,194.12	5.5	0.6
648.700	LEGG MASON PARTNERS EQUITY TR CLR BRID SL IS	LCSS.X	40.44	26,236.28	43.74	28,374.14	2.4	0.0
				119,415.48		136,550.97	11.6	0.3
SMALL CAP FUNDS								
1,679.963	ALGER FDS SMALL CP FOCUS Z	AGOZ.X	20.08	33,731.13	17.45	29,315.35	2.5	0.0
396.677	UNDISCOVERED MANAGERS FDS BEHAVR VAL R6	UBVF.X	66.96	26,562.17	76.05	30,167.29	2.6	1.2
				60,293.31		59,482.64	5.1	0.6
				179,708.79		196,033.61	16.7	0.4
INTERNATIONAL MUTUAL FUNDS								
INTERNATIONAL EMERGING MARKET FUND								
106.943	AMERICAN FUNDS NEW WORLD F-2	NFFF.X	67.34	7,201.15	74.10	7,924.48	0.7	1.1
INTERNATIONAL FUND								
433.145	AMERICAN FUNDS NEW PERSPECTIVE F2	ANWF.X	46.31	20,060.82	55.20	23,909.60	2.0	0.9
1,293.157	GOLDMAN SACHS TR II GQG PARTNRS R6	GSII.X	14.74	19,064.61	18.34	23,716.50	2.0	4.4

"#carp-pst."

PORTFOLIO APPRAISAL
CITY OF CARPINTERIA CA-MUNI-PST
BENEFIT TRUST ACCOUNT 7440
June 30, 2023

<u>Quantity</u>	<u>Security</u>	<u>Security Symbol</u>	<u>Unit Cost</u>	<u>Total Cost</u>	<u>Price</u>	<u>Market Value</u>	<u>Pct. Assets</u>	<u>Cur. Yield</u>
1,379.383	HARTFORD INTERNATIONAL VALUE Y	HILY.X	16.49	22,740.94	17.20	23,725.39	2.0	2.6
651.865	PRUDENTIAL WORLD FD INC JENNISON GBL Q	PRJQ.X	29.31	19,107.75	36.77	23,969.08	2.0	0.0
1,905.127	THORNBURG INVESTMENT INCOME BUILDER	TIBO.X	21.94	41,789.27	22.77	43,379.74	3.7	5.3
				<u>122,763.40</u>		<u>138,700.31</u>	<u>11.8</u>	<u>3.0</u>
				129,964.55		146,624.79	12.5	2.9
ALTERNATIVE INVESTMENT FUNDS								
ALTERNATIVE FUND								
2,797.744	COHEN & STEERS RLTY INCM NEW SHS CL Z	CSZLX	16.44	45,996.36	15.80	44,204.36	3.8	3.4
646.894	PRUDENTIAL GLOBAL REAL ESTATE	PGRQ.X	23.09	14,937.16	18.16	11,747.60	1.0	2.5
				<u>60,933.52</u>		<u>55,951.95</u>	<u>4.8</u>	<u>3.2</u>
				60,933.52		55,951.95	4.8	3.2
TOTAL PORTFOLIO				1,283,578.69		1,172,172.48	100.0	3.4

"#carp-pst."



City of Carpinteria

COUNCIL AGENDA STAFF REPORT July 24, 2023

ITEM FOR COUNCIL CONSIDERATION

Destruction of Certain Accounts Payable, Payroll, Cash Receipts, and Bank Statements.

STAFF RECOMMENDATION

Adopt the attached Resolution No. 6261, authorizing the destruction of certain accounts payable, payroll, cash receipts, and bank statements.

Motion: I move to adopt Resolution No. 6261, as read by title only, authorizing the destruction of certain accounts payable, payroll, cash receipts, and bank statements.

BACKGROUND / DISCUSSION

In a continuing effort to purge files that are no longer needed and in consideration of the City's Record Retention Policy and historical practice, the Administrative Services Department wishes to destroy certain accounts payable, payroll, cash receipts, and bank statements documents from fiscal year 2012, 2013, 2014, 2015, and 2016. See Exhibit A, attached to Resolution No. 6261, for list of records to be destroyed.

The purpose of this agenda matter is for the City Council to adopt Resolution No. 6261, authorizing the destruction of certain financial records.

POLICY CONSISTENCY

The practice of the Administrative Services Department has been to retain certain records, such as accounts payable warrants and invoices, cash receipts, and bank statements for seven years plus the current year. Other departmental records, such as General Ledgers, are retained permanently. These retention periods meet or exceed levels required by law and by City Council Resolution 5196, adopted May 11, 2009, concerning Rules and Regulations Governing the Policy and Procedure for the Retention and Disposition of Records (Records Retention Policy) for the City.

FINANCIAL CONSIDERATIONS

Retention of records beyond the historical practice and outdated inventory will result in additional storage costs.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

The City Attorney has reviewed and approved the list of documents to be destroyed, shown as Exhibit A, attached to the resolution. City records that are retained beyond the specified retention period continue to be disclosable, unless exempted under the California Public Records Act.

OPTIONS

The City Council could choose not to accept the staff recommendation or provide direction to staff as appropriate. However, storing the files and outdated inventory beyond the historical practice will result in additional storage costs.

PRINCIPAL PARTIES EXPECTED AT MEETING

None.

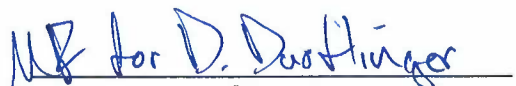
ATTACHMENTS

Attachment A: Resolution No. 6261
Exhibit A: Records List

Staff contact:
Licette Maldonado, Administrative Services Director
licettem@carpinteriaca.gov; (805) 755-4448


Signature

Reviewed by: Dave Durflinger, City Manager
daved@carpinteriaca.gov; (805) 755-4400


Signature

Attachment A

Resolution No. 6261

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RESOLUTION NO. 6261

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CARPINTERIA
AUTHORIZING DESTRUCTION OF CERTAIN RECORDS
IN THE ADMINISTRATIVE SERVICES DEPARTMENT
AND DECLARING CERTAIN CITY-OWNED
PROPERTY/EQUIPMENT AS SURPLUS ASSETS AND
AUTHORIZING DISPOSAL**

WHEREAS, California Government Code Section 34090 permits the destruction of certain records subject to certain conditions; and

WHEREAS, the Administrative Services department has recommended that certain records in the department be destroyed and the City Manager has approved said recommendation; and

WHEREAS, said records have now been retained for periods of time that meet or exceed levels required by law and by City Council Resolution 5196 adopted May 11, 2009 concerning Rules and Regulations Governing the Policy and Procedure for the Retention and Disposition of Records for the City; and

WHEREAS, a list of records and assets to be destroyed is attached hereto as Exhibit "A"; and

WHEREAS, the City Attorney has issued his consent in writing to said recommendation and approval; and

NOW, THEREFORE, THE CARPINTERIA CITY COUNCIL HEREBY RESOLVES that those records identified in Exhibit "A" attached hereto are approved for destruction as recommended and authorizes the City Manager to dispose.

PASSED, APPROVED AND ADOPTED this 24th day of July, 2023 by the following called vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

Mayor, City of Carpinteria

ATTEST:

Brian C. Barrett, CMC, CPMC
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 this 24th day of July, 2023.

Brian C. Barrett, CMC, CPMC
City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of
Brownstein Hyatt Farber Schreck, LLP
acting as City Attorney of the City of Carpinteria

Exhibit "A" to Resolution No. 6261

**CITY OF CARPINTERIA
REQUEST TO DESTROY OBSOLETE RECORDS**

The Administrative Services Department requests authority to destroy obsolete records as detailed below.

Note: Unless otherwise noted all records are located at the City's Storage Facility.

Title or subject matter of records	No. of Records	Originals or Duplicates	Years covered By records
Accounts Payable Warrants and Invoices	Approx. 8,000	Originals	July 1, 2012 thru June 30, 2016
Cash Receipts Records	Approx. 6,000	Originals	July 1, 2012 thru June 30, 2016
Bank Statements	Approx. 24	Originals	July 1, 2012 thru June 30, 2016

I hereby certify that:

- The record(s) are under the management or control of the Department head.
- To the best of his/her knowledge, the descriptive titles, information, and classifications contained in the request form are true and accurate.
- The minimum retention time periods required by City Resolution No. 5196 (Retention Schedule) have been satisfied for all records included in the request form.
- Retention of the record is no longer required for operation of the department, or to satisfy a city council policy adopted by resolution, or a city Council request, or by the city for administrative, historical, research, fiscal, legal, or cultural purposes.
- The destruction or other disposition of the record will not violate state law, these Rules, or other applicable law.
- Destruction of the record(s) is hereby recommended.

Date: July 24, 2023

Job title: Licette Maldonado,
Administrative Services Director

Signature of Department Head or
Designee, requesting destruction of
records

Approved for Destruction:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria

Date: _____

Approved for destruction at the City Council meeting held July 24, 2023.



City of Carpinteria

COUNCIL AGENDA STAFF REPORT July 24, 2023

ITEM FOR COUNCIL CONSIDERATION

Authorization for the City Manager to execute Amendment No. 2 to the Agreement with Cannon Corporation to provide additional services for the 2022 Pavement Rehabilitation Project.

STAFF RECOMMENDATION

Authorize the City Manager to execute Amendment No. 2 to the Agreement with Cannon Corporation to provide additional services for the 2022 Pavement Rehabilitation Project in the not-to-exceed amount of \$24,542 for a total amended amount of \$672,842.

Sample Motion: I move to authorize the City Manager to execute Amendment No. 2 to the Agreement with Cannon Corporation to provide additional services for the 2022 Pavement Rehabilitation Project in the not-to-exceed amount of \$24,542 for a total amended amount of \$672,842. *(The motion requires a roll call vote.)*

BACKGROUND

On September 12, 2022, the City Council authorized the City Manager to execute an Agreement with Cannon Corporation in the amount of \$611,028. On January 23, 2023, the City Council authorized the City Manager to execute Amendment No. 1 to the Agreement with Cannon Corporation to provide additional services for the 2022 Pavement Rehabilitation Project in the not-to-exceed amount of \$37,272 for a total amended amount of \$648,300.

The general scope of work of the project includes pavement rehabilitation, pedestrian facility upgrades (e.g. curb ramps and sidewalks) as needed for compliance with the Americans with Disabilities Act, and drainage improvements. The project will also incorporate technologies and material recycling techniques that lower greenhouse gas emissions and reduce the cost of pavement maintenance through material choice and construction method.

The purpose of this agenda matter is for the City Council to authorize the City Manager to execute Amendment No. 2 to the Agreement with Cannon Corporation to provide

additional services for the 2022 Pavement Rehabilitation Project in the not-to-exceed amount of \$24,542 for a total amended amount of \$672,842.

DISCUSSION

The project's current design for Star Pine Road not only proposes pavement rehabilitation but also new surface drainage improvements such as curb and gutter that are similar with the existing curb and gutter on Third Street between Linden Avenue and Ash Avenue, excepting the color scheme which is proposed as gray. During the design of the surface drainage improvements, the design engineer recommended for minor storm drain improvements to be incorporated with this project at the Vallecito Road and Star Pine Road intersection, as shown in the location map as Attachment A, in order to provide the proper connection of the proposed surface drainage improvements of Star Pine Road. The general scope of work for the minor storm drain improvements include installation of a subsurface pipe system from the Vallecito Road and Star Pine Road intersection to the existing subsurface pipe system at the Via Real and Vallecito Road intersection, previously installed by the California Department of Transportation as a part of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Project.

The City Engineer evaluated the design engineer's recommendation and concurred with it to be technically feasible and consistent with the City's Storm Drainage Master Plan¹, which identifies overall storm drainage improvements for the neighborhood contained within Ogan Road, Vallecito Road, and Via Real. Specifically, the City Engineer determined the recommendation will address a portion of the overall storm drainage need until a future pavement rehabilitation project can address additional portions or all of the storm drainage need. Furthermore, the City Engineer evaluated the recommendation's budget feasibility and determined the project budget can afford the design based on other cost savings identified in the project. Specifically, these other cost savings were identified from initially proposed concrete curb ramps in which some street intersections did not warrant due to lack of existing pedestrian path(s) of travel. The estimated cost savings is \$60,000 which translates to ten (10) concrete curb ramps. Therefore, the City Engineer determined the additional services of designing the minor storm drain improvements for the Vallecito Road and Star Pine Road intersection are feasible to be incorporated into the project.

The general scope of work that is proposed for Amendment No. 2 includes the following tasks:

1. Preliminary design including land surveying; field investigation and data collection; and preliminary plans, specifications, and estimate.
2. Final design including bid documents (final plans and specifications) and estimate.

A copy of the proposed Amendment No. 2 to the Agreement with Cannon Corporation including details of the proposed additional services is shown as Attachment B.

¹ City of Carpinteria Storm Drainage Master Plan. Dudek. February 2009

POLICY CONSISTENCY

The project is consistent with City's Storm Drainage Master Plan.

The project is also consistent with the following policies of the Sustainable Community Policy:

Environmental Stewardship

Pollution Prevention: Develop and implement standards to reduce runoff and pollution in local streams and watersheds.

Community Health, Safety, and Wellness

Support residents and property owners' needs related to infrastructure improvements and maintenance to ensure safe and viable neighborhoods.

Finally, the project is consistent with the National Pollutant Discharge Elimination System Phase II Municipal Small Separate Storm Sewer System Permit and Regional Water Quality Control Board (RWQCB) Post-Construction Stormwater Management Requirements for Development Projects (RWQCB Resolution No. R3-2013-0032), respectively.

FINANCIAL CONSIDERATIONS

No Additional Funding Requested. There is sufficient budget in 301-403-5780 – Major Capital Projects for the proposed Amendment No. 2 of \$24,542. Pursuant to Section 2.08.150 of the Carpinteria Municipal Code, the City Manager is authorized to execute contracts of \$30,000 or less without prior approval of the City Council. Though the amount of the proposed Amendment No. 2 (i.e., \$24,542) is less than \$30,000, the cumulative amount of the Agreement is more than \$30,000. Therefore, the proposed Amendment No. 2 does require the City Council's approval.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

The recommendation is consistent with the California Government Code Section 4525 et al. for procuring professional or consulting services.

OPTIONS

1. Authorize the City Manager to execute Amendment No. 2 to the Agreement with Cannon Corporation to provide additional services for the 2022 Pavement Rehabilitation Project in the not-to-exceed amount of \$24,542 for a total amended amount of \$672,842. (Staff recommendation)
2. The City Council could choose to not approve the recommendation and direct staff as determined appropriate.

PRINCIPAL PARTIES EXPECTED AT MEETING

There are no principal parties expected at the meeting.

ATTACHMENTS

Attachment A: Location Map
Attachment B: Amendment No. 2

Staff contact:

John L. Ilasin, Public Works Director
(805) 880-3402; johni@carpinteriaca.gov


Signature

Reviewed by:
Licette Maldonado, Administrative Services Director
(805) 755-4448; licettem@carpinteriaca.gov


Signature

Reviewed by:
Dave Durflinger, City Manager
(805) 755-4400; daved@carpinteriaca.gov


Signature

ATTACHMENT A

Location Map

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ATTACHMENT B

Amendment No. 2

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CITY OF CARPINTERIA
SECOND AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES

This Second Amendment between the City of Carpinteria, a municipal corporation ("City") and Cannon Corporation ("Consultant") for Design services for the 2022 Pavement Rehabilitation Project No. 15132 is made and effective as of the 24th day of July, 2023. This Amendment is made a part of the first amendment to the original Agreement for Consultant Services in the amount of \$648,300.00 dated January 23rd, 2023. This amendment is for \$24,542.00 (see Attachment A-1) and the amended total of the Agreement is \$672,842.00. This Amendment also extends the term of the original Agreement to June 30, 2024.

Except as otherwise specifically provided herein, all other provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement at the place and as of the date first written above.

"CITY"
City of Carpinteria

"CONSULTANT"
Cannon Corporation

By: _____
David Durflinger, City Manager

By: _____
Larry Kraemer, PE
Director, Public Infrastructure Division
C 44813

ATTACHMENT A-1



ADDITIONAL SERVICES AGREEMENT

Project Client: City of Carpinteria Date: May 24, 2023
Project Name: Design Services for 2022 Pavement Rehab Cannon Project Number: 220809
Vallecito Road Drainage Improvements

Description of Additional Services:

Engineering design services for drainage improvements on Vallecito Road, near the intersection of Star Pine Road to Via Real.

Scope of Services

Phase 2. Preliminary Design

ASA02-2.B. Survey Services

Perform field survey of Vallecito Road, from approximately 50-ft north of the intersection of Vallecito Road and Star Pine Road, to the intersection of Via Real for the purpose of drainage design. Prepare and integrate a topographic survey base map into the project base map showing the following information:

- Include existing driveways, curb and gutter and all visible above ground surface features and utilities within R/W to R/W.
- Rim and invert elevations of sewer and storm drain: manholes and catch basin.
- Locate visible DIGALERT underground utility mark outs and evidence of recent trench locations, i.e., newly installed Traffic Signal Loops, Electrical, Telephone or TV Cable.
- Provide 3D TIN and DTM file for surface creation in AutoCAD and Civil 3d.
- Contours at 1' interval, with 1' Major and 5' index contours.
- The field survey will accurately define existing surface drainage features such as gutters, storm drain inlets, flowlines for swales and v-ditches.

ASA02-2.C. Field Investigation and Data Collection

Field investigation and data collection services of Vallecito Road to understand site conditions and data collection of relevant record information of project facilities.

(COMPETED 4/27/23)

ASA02-2.F. Preliminary PS&E and Storm Water Pollution Prevention Plan (SWPPP) (30%, 60%, and 90%)

ASA02-2.F.1. Prepare 30% design concept plan and drainage memo and present concept to the City for comment. (COMPLETE 5/1/23)



ASA02-2.F.2. Advance the 30% design concept and drainage memo to 60% design level incorporating City comments, and incorporate into the 60% design package which includes the 60% plans, specifications, SWPPP, hydrology, and hydraulics report.
(COMPLETED 5/19/23)

ASA02-2.F.3. Advance the 60% design concept and drainage memo to 90% design level incorporating City comments, and incorporate into the 90% design package which includes the 90% plans, specifications, SWPPP, hydrology, and hydraulics report.

Phase 3. Final Design

ASA02-3.A. Bid Documents – Final Plans, Specifications, and SWPPP

Advance the 90% design concept and drainage memo to final design level incorporating City comments, and incorporate into the final design package which includes the final plans, specifications, SWPPP, hydrology, and hydraulics report (bid ready).

Fee:

Phase 2. Preliminary Design

ASA02-2.B. Survey Services.....	\$	6,800
ASA02-2.C. Field Investigation and Data Collection	\$	1,072
Civil Principal Engineer: 2 hrs @ \$222/hr		
Civil Design Engineer: 4 hrs @ \$157/hr		
ASA02-2.F. Preliminary PS&E and SWPPP (30%, 60%, and 90%).....	\$	13,944
Civil Principal Engineer: 5 hrs @ \$222/hr		
Civil Sr. Associate Engineer: 14 hrs @ \$199/hr		
Civil Design Engineer: 64 hrs @ \$157/hr		

Phase 3. Final Design

ASA02-3.A. Bid Documents - Final Plans, Specifications, and SWPPP	\$	2,726
Civil Principal Engineer: 2 hrs @ \$222/hr		
Civil Sr. Associate Engineer: 2 hrs @ \$199/hr		
Civil Design Engineer: 12 hrs @ \$157/hr		

Grand Total Hourly Not to Exceed Fee \$ 24,542

Reimbursable expenses are included in this Additional Services Agreement.



Authorization:

In witness whereof, the parties hereto have caused this agreement consisting of the Request for Additional Services, and the original signed proposal letter and Appendix A dated September 2022 and any other necessary and applicable documents to be executed and effective as of the date and year first above written.

Any additions and/or corrections to this agreement will be addressed in a separate agreement.

Client: City of Carpinteria

Cannon

x _____
John Ilasin, PE
Public Works Director/City Engineer

Larry Kraemer, PE
Director, Public Infrastructure Division
C 44813

Date: _____

Date: _____



City of Carpinteria

COUNCIL AGENDA STAFF REPORT July 24, 2023

ITEM FOR COUNCIL CONSIDERATION

Purchase of Electric Street Sweeping Equipment.

STAFF RECOMMENDATION

1. Authorize the City Manager to purchase an electric street sweeping equipment by Global Environmental Products from Terry Equipment, Inc. in an amount not to exceed \$732,847.
2. Appropriate \$33,000 in 103-431-5761 – Major Equipment.

Sample Motion: I move to authorize the City Manager to purchase an electric street sweeping equipment by Global Environmental Products from Terry Equipment, Inc. in an amount not to exceed \$732,847 and to appropriate \$33,000 in account 103-431-5761 – Major Equipment. *(Requires a roll call vote.)*

BACKGROUND

For more than three decades, the City's Street Sweeping Program is provided by contract services from various vendors. Approximately 32.2 curb miles of City streets in commercial and residential districts are swept. The City currently contracts with Sweeping Corporation of America for the street sweeping services¹. Sweeping Corporation of America currently utilizes street sweeping equipment with internal combustion engine technology. In June 2023, staff proposed to the City Council a Fiscal Year 2023/24 budget item of an electric street sweeping equipment purchase as the intent of 1) self-performing street sweeping services (i.e. "in-house" service) and 2) using electric propulsion technology that is not currently being utilized by local vendors in order to reduce greenhouse gas emissions. On June 26, 2023, the City Council adopted Resolution No. 6247, approving the Fiscal 2023/24 Budget which includes appropriation for the purchase of an electric street sweeping equipment.

¹ On July 11, 2022, the City authorized the City Manager to execute a one-year Agreement with for street sweeping services in an amount not-to-exceed \$218,868.85. On June 30, 2023, the Agreement expired. On July 1, 2023, the City Manager executed an Agreement with Sweeping Corporation of America in the amount of \$18,239.07 to continue street sweeping services for one month.

The purpose of this agenda matter is to authorize the City Manager to purchase an electric street sweeping equipment by Global Environmental Products from Terry Equipment, Inc. in an amount not to exceed \$732,847.

DISCUSSION

The City regularly reevaluates delivery of services within various functional areas in order to ensure efficient, effective and equitable delivery. The City has contracted for street sweeping services through various contractors for many years. The quality of street sweeping service in recent years has been inconsistent, drawing resident complaints concerning dust generation and missed areas for example, and the annual cost has increased significantly. Based on requests for proposals issued in the recent past, the City has determined that there are few contractors remaining in the market capable of delivering an efficient and effective street sweeping service to the City.

Bringing street sweeping services in house would afford greater control over the cost and quality of service, create greater flexibility in scheduling and responding to special/emergency jobs, and meet City objectives for transitioning to electric vehicles as a part of its efforts to reduce greenhouse gas emissions. Beyond the initial equipment purchase costs, annual operating and maintenance costs are expected to be less than contracting (currently about \$220,000 annually).

The City's current contractor, Sweeping Corporation of America, operates from its base in Oxnard, CA. A City owned electric street sweeper would be operated and maintained by Public Works Department maintenance personnel. That is, the operation and maintenance logistics as well as any emergency response would be all within the City limits. It is anticipated that the electric power/charging source for the sweeper would initially come from the existing electric charging station of the former Seaside Shuttle, which is located at the rear of City Hall. A future, dedicated electric vehicle charging station is a part of the improvement plan for the City Hall campus.

Staff requested for a quote, as shown in Attachment A, through the service cooperative public agency, Sourcewell. Sourcewell was originally created by the State of Minnesota legislature as a local unit of government (Minn. Const. art. XII, sec. 3). Sourcewell is governed by local elected municipal officials and school board members [Minn. Stat. § 123A.21 Subd. 4 (2017)]. Sourcewell provides public sector procurement services nationwide and streamlines the required purchasing process to assist local government agencies to obtain compliant competitive bids on supplies and materials. All cooperative purchasing contracts from Sourcewell were competitively solicited and publicly awarded by a government entity acting as the lead agency. The City is a cooperative purchasing member of Sourcewell.

POLICY CONSISTENCY

The recommendation is consistent with the Sustainable Community Policy (Resolution No. 5500):

Energy Conservation

Reduce greenhouse gas emissions through various activities which may include improved mass transit systems, reduced vehicle trips, improved alternative transportation systems for biking, walking and low emission vehicles, etc.

The recommendation is also consistent with the Environmentally Preferable Purchasing Policy (Resolution No. 5686):

4.3 Energy Efficient and Water Saving Products

4.3.1 Purchase energy-efficient equipment with the most up-to-date, economically feasible, and proven energy efficiency functions. This includes, but is not limited to, high efficiency space heating systems and high efficiency space cooling equipment.

Finally, the recommendation is consistent with the NPDES Phase II Small MS4 Permit² and the City's interest in maintaining streets and other public property in a manner that is safe, minimizes negative impacts on the environment, including, in particular, creeks, the salt marsh, and ocean waters, and aesthetically pleasing.

FINANCIAL CONSIDERATIONS

A \$700,000 budget item was appropriated in Expense Account No. 103-431-5761 (Major Equipment) as a part of the FY 2023-24 Budget. An additional \$33,000 is required to cover the total cost of the purchase. So, a \$33,000 increase to FY 2023-24 Budget (Major Asset Replacement and Repair Fund) would be needed. The Electrify Your Fleet Program Rebate of \$25,000 was budgeted in Expense Account No. 103-431-4390 (Private Grants).

As a member agency of Central Coast Community Energy, the City is also eligible for the Electrify Your Fleet Program which provides for a funding incentive in the form of direct rebates towards eligible light-duty, medium-duty, and heavy-duty battery electric vehicles. The proposed electric street sweeping equipment is eligible. The member agency must first make purchase, lease, and/or reserve funds thereto in order to receive the rebate. The Electrify Your Fleet Program's current rebate for the size of the proposed electric street sweeping equipment would be \$25,000. Should the City Council approve the purchase of the electric street sweeping equipment, the City would submit an application for rebate.

² National Pollutant Discharge Elimination System (NPDES) General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

The recommendation is in accordance with Carpinteria Municipal Code Chapter 3.32 (Purchasing System).

OPTIONS

1. Authorize the City Manager to purchase an electric street sweeping equipment by Global Environmental Products from Terry Equipment, Inc. in an amount not to exceed \$732,847 and appropriate an additional \$33,000 for the purchase. (Staff recommendation)
2. The City Council could choose not to accept the staff recommendation or provide direction to staff as appropriate. The price in the quote would be subject to increase should the purchase be postponed. Further, the lead time of the product order would increase should the purchase be postponed. The estimated lead time is nine to twelve months depending on the street sweeping equipment model.

PRINCIPAL PARTIES EXPECTED AT MEETING

None.

ATTACHMENTS

Attachment A: Quote

Staff contact:

John L. Ilasin, Public Works Director
(805) 880-3402; johni@carpinteriaca.gov


Signature

Reviewed by:

Licette Maldonado, Administrative Services Director
(805) 755-4448; licettem@carpinteriaca.gov


Signature

Reviewed by:

Dave Durflinger, City Manager
(805) 755-4400; daved@carpinteriaca.gov


Signature

ATTACHMENT A

Quote

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QUOTATION: R3AIR EV - ELECTRIC SWEEPER

DATE: 3/1/2023

CUSTOMER: City of Carpinteria

Terms: 30 Days Net

DEALER: Terry Equipment, Inc

FREIGHT: FOB: San Bernardino, CA

QUOTE NO.: 312023-2

UAO#

GLOBAL R3AIR ELECTRIC REGENERATIVE AIR SWEEPER - ELECTRIC EQUIPMENT

High Visibility Cab (Glass Entry Door included)	Sealed Beam Headlights
Dust & Weather Sealed Cab	5.8 cu yd STAINLESS STEEL Hopper (Volumetric)
Multi-Adjustable Suspension Seat	Hopper Dump Alarm
Tilt & Telescoping Steering Wheel	47" dia Gutter Brooms
Tinted Safety Windows & Windshield	In-Cab Gutter Broom Pressure Adjustment
Left & Right Dual West Coast Mirrors	Tuf-Grip Disposable Gutter Broom Segments
Windshield Wiper/Washer	72" Wide Pick-Up Hood with Carbide Dirt Shoes
Ergonomic Go Pedal	32" Diameter Impeller includes wear-resistant coating
Speedometer, Tachometer & Hourmeter	Internal Impeller Housing components inc. Rubber Lining
230 gal Polyethylene Water Tank	Hydraulic Manifolds in LH Fender
15' Hydrant Hose with Coupling & Wrench	LED Gutter Broom Spotlights
Gutter Broom Water Spray Jets	Sealed Beam Headlights
Pickup Broom Water Spray Jets	Stop/Tail Lights, Clearance Lights
Fan Housing Water Spray Jets	12.5' Turning Radius with Front Suspension
Dust Separator Water Spray Jets	All Sheet Metal Surfaces Primer Powder Coated
Centrifugal Type Dust Separator	Sheet Metal Surfaces Powder Coated
Low Water Level Light in Cab	Fender Mounted Tool Box
Front Spray Bar	Integral Cab Limb Guard Protection
Buddy Seat	Front & Rear Tie Downs with Tow Hooks
Dual Front Tires with Front Suspension	In-cab Pick-Up Hood front Curtain Raise Function
Electrical Systems Locker	1 Sweeper Service Manual in English
Manual Safety Props	1 Sweeper Parts Manual in English
Hopper and Fan/Fan Housing Flusher	1 Sweeper Operator Manual in English
	Ergo Switch Standard
	Rear View Camera Standard

DESCRIPTION	List Price	Contract Price
1 GLOBAL R3AIR ELECTRIC REGEN SWEEPER, 210KW Battery (8-10 Hrs. Operating time) High Dump, ELECTRIC DRIVE, Dual Gutter Broom, A/C, Gray/White Powder Coated, Ergo Switch, Rear View Camera System...	670,105	638,196

*** Powder Coated Paint - Gray/White ***

GLOBAL R3AIR ELECTRIC REGEN SWEEPER- OPTIONAL EQUIPMENT

QTY	PT NO.	DESCRIPTION	List Price	Contract Price
1	K247077	Hopper Access Door	3,388	3,227
1	M3JHE2FS	Comfort Glide Rear Suspension	INC	INC
1	K323753	GB Speed Control	1,527	1,454
1	K247011	Dual GB Tilt	5,864	5,585

SIGNATURE:

DATE:

Freight - FOB San Bernardino, CA

Payment is strictly 30 days net. Late payment penalty 1% per month or part thereof.

Form GS-180 doc Rev 08/09/19

5405 Industrial Parkway
San Bernardino, CA 92407
Tel: 1 (909) 713-1600
Fax: 1 (909) 713-1613

www.globalssweeper.com

**QUOTATION**

DATE: 3/1/2023

GLOBAL R3AIR ELECTRIC EQUIPMENT (continued)

PT NO.	DESCRIPTION	LIST PRICE	CONTRACT PRICE
1	K323495-SS Stainless Steel Hopper	INC	INC
1	K325256 AM/FM Radio w/ CD	632	601
1	K901325 Aux Power Plug Adaptor Port	373	355
1	K318806 Seal, High Back, Air	1,299	1,237
1	K247172 Heated & Remote Controlled Mirrors with Heavy Duty Bra	2,107	2,007
1	K325221 Arrowslick (LED)	2,107	2,007
1	K325514 Limb Guard (Cab Beacon/Strobe)	334	318
1	NPN Hopper Raise/Lower - Rear Fender Upgrade	322	307
1	326844 Cab Strobe (LED)	629	599
1	247632 Rear Flashing (LED) Strobes (mounted in hyd. Towers)(Ql	629	599
1	NPN Catch Basin Hose	8,022	5,736
1	316609 In-Cab Water Tank Gauge	564	538
1	248537 Autolube - Full System M3	7,438	7,084
1	329822 Remote Grease Block - 8 positions	1,811	1,725
1	338581 Hopper and Suction Hood Wash Out System	1,807	1,721
1	320886 Extended Dock Bumpers (Qty. 2)	564	538

BASE PRICE

638,196

RECOMMENDED OPTIONS

28,177

CA Sales Tax 9%

59,974

FREIGHT/PDI/REGISTRATION

6,500

TOTAL

732,847

Applicable sales tax not included

Pricing is good for only 30 days.

Delivery: 270 days after receipt of order

Freight - FOB San Bernardino, CA

Payment is strictly 30 days net. Late payment penalty 1% per month or part thereof.

Form GS-180 doc Rev 08/09/19

5405 Industrial Parkway
San Bernardino, CA 92407
Tel: 1 (909) 713-1600
Fax: 1 (909) 713-1613

www.globalssweeper.com





City of Carpinteria

COUNCIL AGENDA STAFF REPORT July 24, 2023

ITEM FOR COUNCIL CONSIDERATION

Code Compliance Quarterly Report Q2, 2023.

STAFF RECOMMENDATION

Receive and file quarterly report.

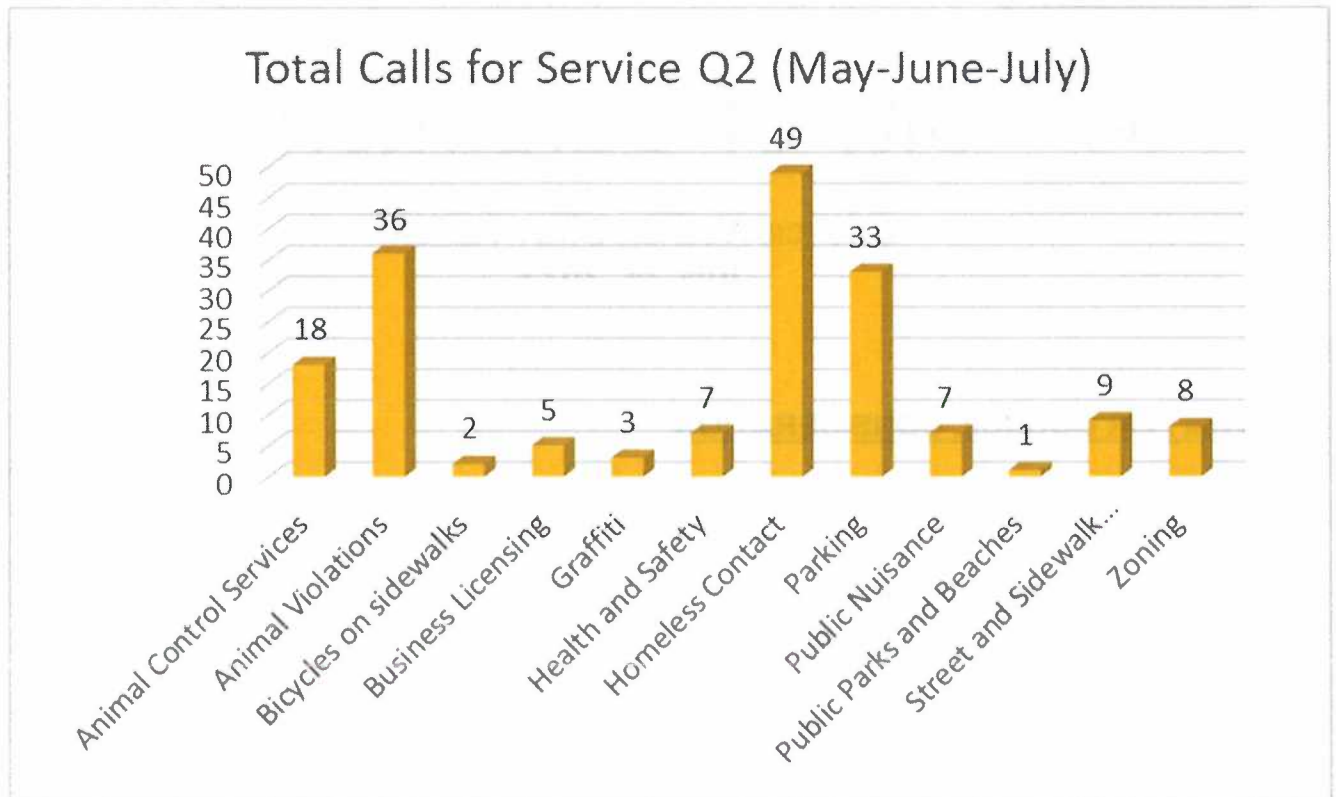
Sample Motion: I move to receive and file the Code Compliance Quarterly Report.

BACKGROUND

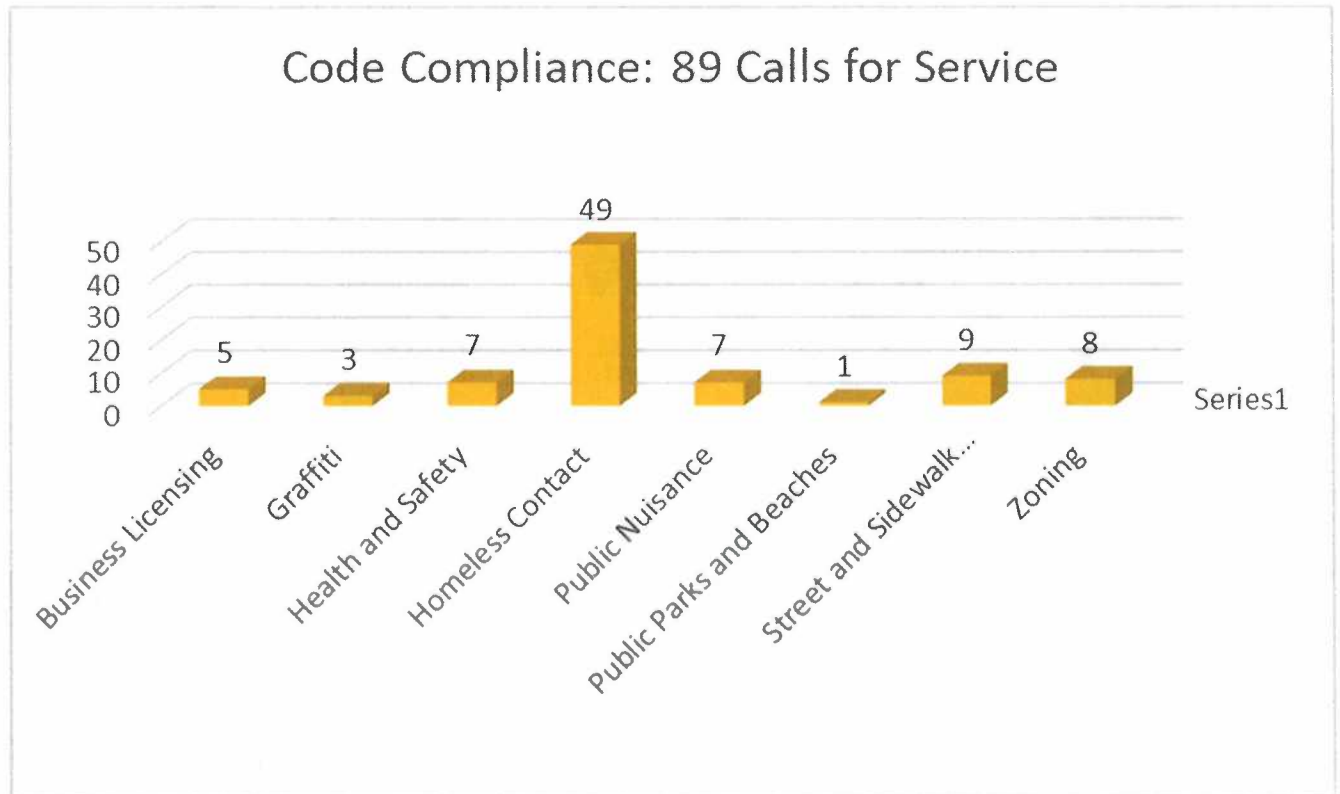
The Code Compliance Division enforces local and state laws for the City of Carpinteria. Staffing includes an interim Code Compliance Supervisor and one Code Compliance Officer with varied schedules serving the City seven days a week. Code staff works both proactively and reactively to address zoning, building, homelessness, public nuisances, smoking restrictions, animal control provisions, and parking regulations within City limits. Code staff works in cooperation with all City Departments, the Sheriff's Office, and other agencies to resolve calls for service in an efficient and timely manner.

DISCUSSION

This quarter included **178 total calls for service**, up 7 from last quarter's 171. With hundreds of phone calls and service requests monthly, Code staff responds or investigates each inquiry to determine the appropriate course of action to best resolve these issues.



Q2 Total Calls for Service Map



Notable trends:

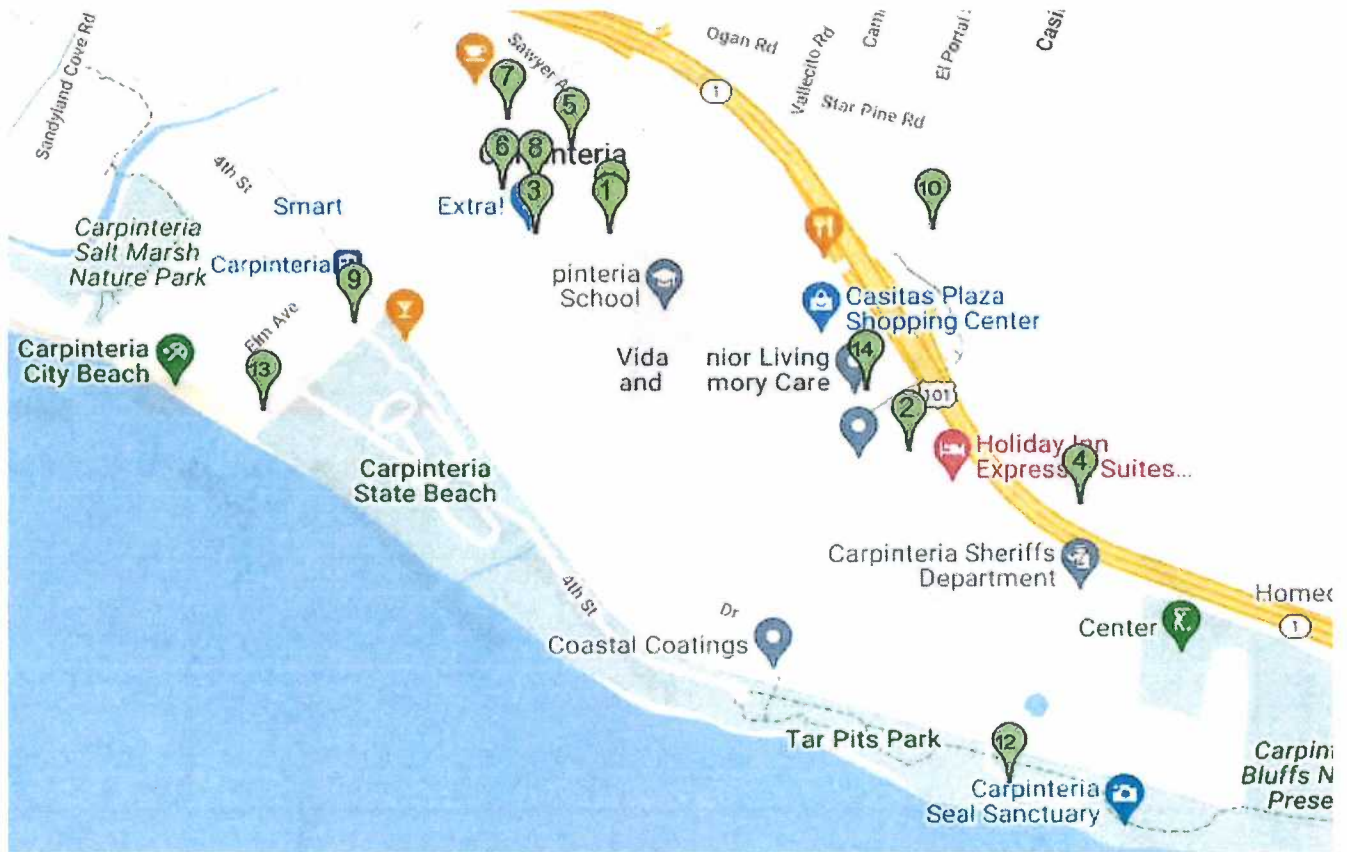
Zoning Calls for Service: Notable zoning efforts included properties building without permits, unpermitted use of property, and businesses operating without a business license.

The Municipal Code and the California Building Code provide regulations for the placement, construction and maintenance of all buildings throughout the City. When a violation exists, several code compliance tools are used to gain voluntary compliance. If voluntary compliance is not gained, staff has the ability to issue Administrative Citations in the amount of \$100, \$200, and up to \$500 per day for each day that the violation continues to exist. Staff addressed **8 zoning** calls for service this quarter.

Code staff addressed **7 Public Nuisance** calls which can include property maintenance issues such as over grown lawns and shrubs, barking dogs or other loud sounds. In addition, staff make public contacts for public smoking and open containers, shopping carts, and homeless issues.

There were **49 contacts with people experiencing homelessness**, which is down compared to last quarter's 62 contacts. Staffs' time continued to be focused on multiple individuals camping in or around Carpinteria Creek, a sensitive protected habitat.

25 Health and Safety, Graffiti, and Business Licensing contacts this quarter. These contacts include businesses operating without a permit, graffiti, smoking in public and trash in public right away.

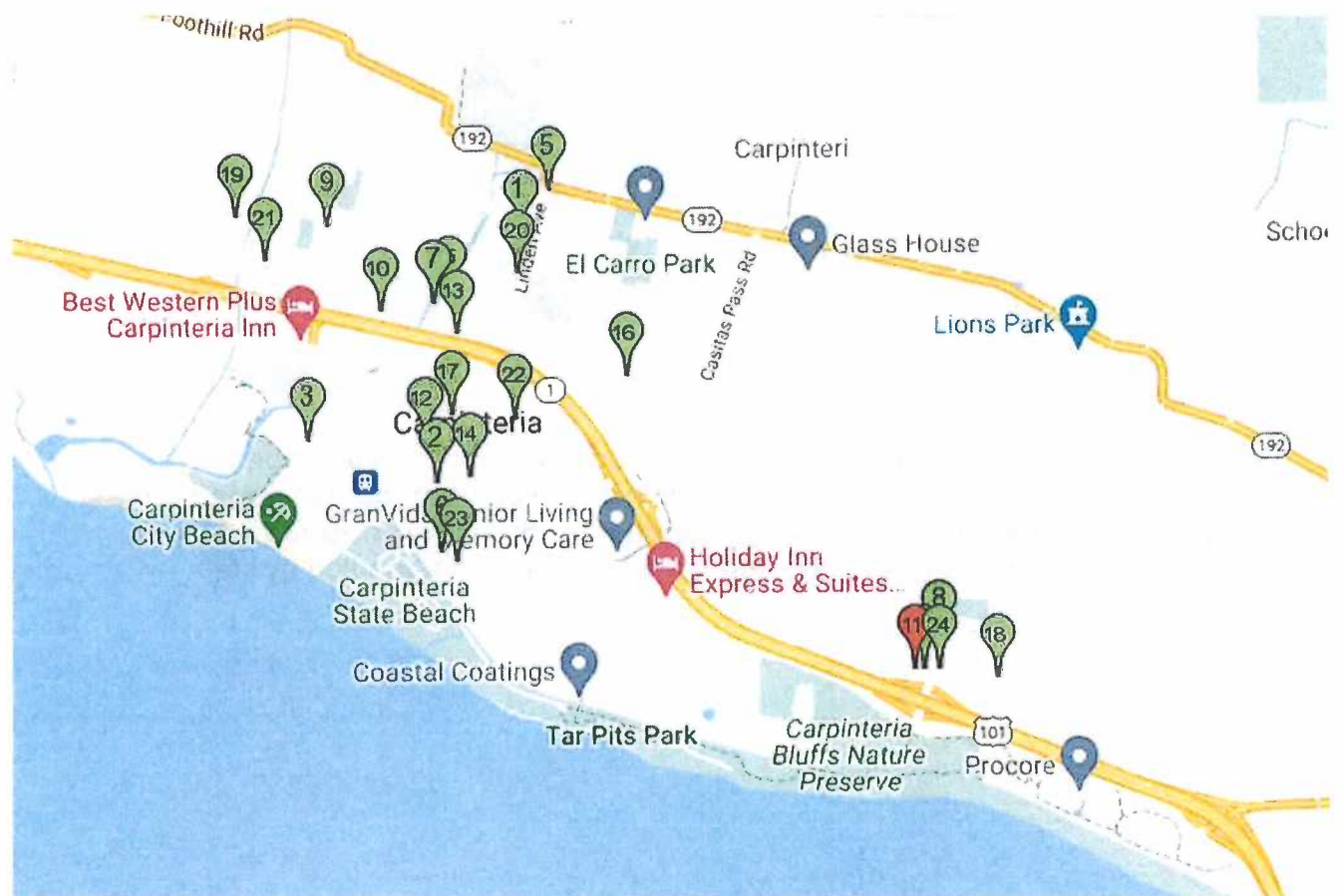


Q2 Calls for Service Homeless Contacts Map

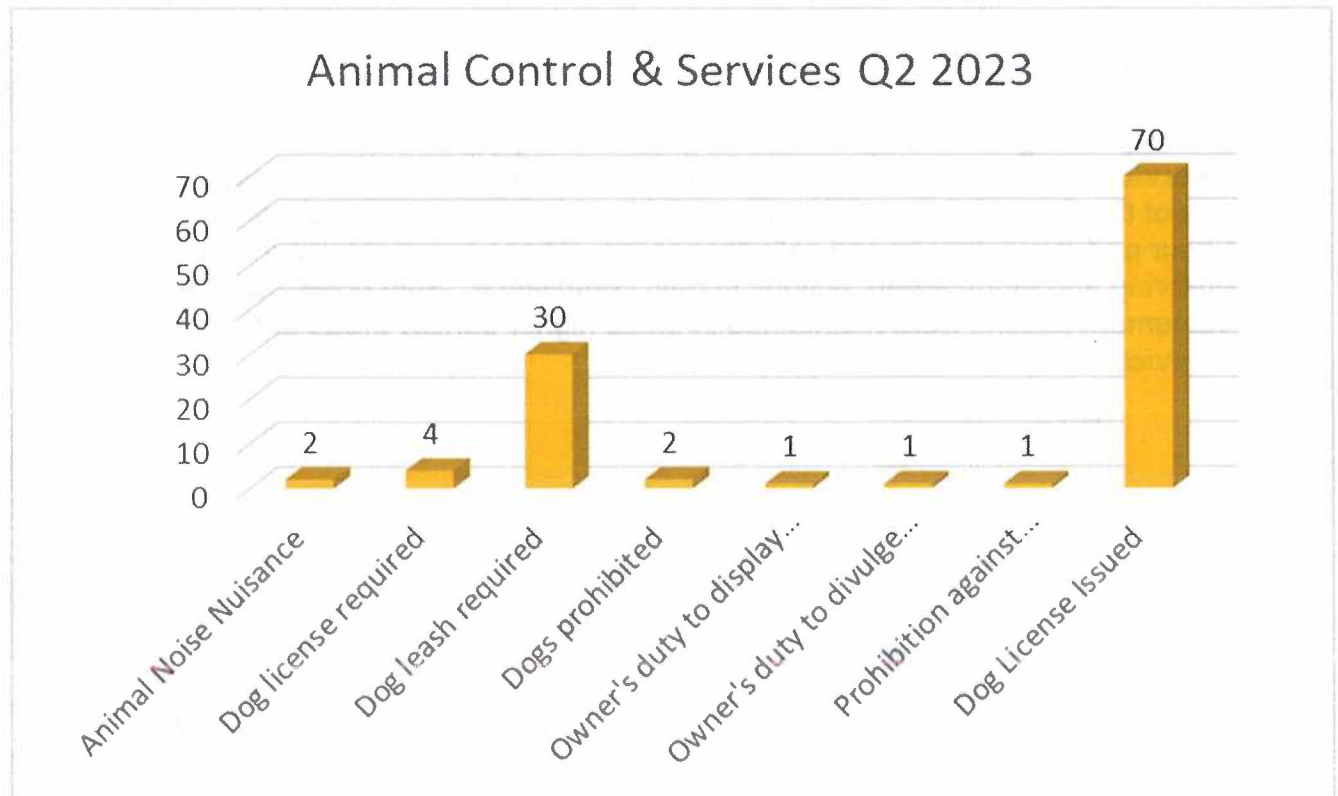


Notable trends:

The **413 parking tickets issued** were up from last quarter's 204 tickets and **31 calls for service** (72hr vehicles) were down from last quarter's 33 service calls. Certain areas of the City such as neighborhoods with a higher overall density are more prone to 72-hour parking violations and calls for service. These areas require increased monitoring and enforcement actions to gain compliance. Staff notes that parking enforcement actions were maintained in these higher density areas and the lower calls for service this quarter reflect the results.



Q2 Calls for Service 72hr Parking Map



Notable trends: These calls include service requests for off leash reports, stray dogs, and disposal of dead animals. This quarter included **30 contacts for dogs off leash, 2 dogs in prohibited areas, and 4 license checks. 6 Strays/Adoptions, 70 dog license issued, and 4 bites reported with 3 quarantines** handled by staff.



Q2 Calls for Service Animal Violations Map

POLICY CONSISTENCY

The purpose of this report is to provide transparency to the public for the services the Code Compliance Division provides.

FINANCIAL CONSIDERATIONS

No financial analysis is included as a part of this report.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

No legal issues are presented as a part of this report.

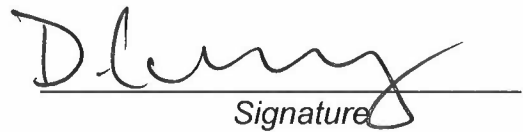
OPTIONS

The City Council could provide additional direction to Staff regarding future reports.

PRINCIPAL PARTIES EXPECTED AT MEETING

Interested members of the public.

Staff contact: David Hernandez, Code Officer II
(805) 755-4418, davidh@carpinteriaca.gov


Signature

Reviewed by: Dave Durlinger, City Manager
(805) 755-4400, daved@carpinteriaca.gov


Signature



City of Carpinteria

COUNCIL AGENDA STAFF REPORT July 24, 2023

ITEM FOR COUNCIL CONSIDERATION

Review of home sales prices and adjusting the 2023 in-lieu affordable housing fee pursuant to Carpinteria Municipal Code Chapter 14.75, Inclusionary Housing Requirement, and, if desired, adopt Resolution No. 6260, as read by title only, adjusting the 2023 affordable housing in-lieu fees for condominiums and single-family dwellings.

STAFF RECOMMENDATION

Receive and file the report on the City's home sales prices for 2022 and adopt Resolution No. 6260 to adjust the 2023 affordable housing in-lieu fees for condominiums and single-family dwellings.

Sample Motion: I move to receive and fine the report on the City's home sales prices for 2022, and adopt Resolution No. 6260, as read by title only, adjusting the 2023 affordable housing in-lieu fees for condominiums and single-family dwellings.

BACKGROUND

In June 2004, the City Council adopted the Inclusionary Housing Ordinance (Ord. 590) and approved an In-lieu Fee Program (Program) codified at Carpinteria Municipal Code Chapter 14.75 (Code). The Code indicates that as a condition of approval, all residential development projects of five or more housing units involving a subdivision map for the purpose of creating individual ownership units or parcels shall construct 12% of the total units for a target sales price set at a price affordable to households earning 121% percent of the area median income (AMI). The program does not apply to rental apartments, although, as part of the Housing Element update, the Code may be expanded or amended to include them.

The in-lieu fee amounts are set annually based on a formula that is part of the Program provisions that include the median sales prices of single-family dwellings and condominiums for the prior year, the median household income for the County of Santa Barbara, and current mortgage interest rates. The current in-lieu fees were established in July 2022 by Resolution No. 6147, at \$735,400 for Single Family Dwellings and \$214,200 for Condominiums, respectively. The Inclusionary Housing Ordinance states that the City Council may update the in-lieu fees annually to allow the fees to stay current with median housing prices, median incomes, and mortgage interest rates.

Because the City has an interest in ensuring that in-lieu fees collected over time are adequate to facilitate affordable housing projects and programs, it has been the City's practice to adopt annual adjustments.

DISCUSSION

In-lieu Fees: The City's Inclusionary Housing Requirements include a preference for developers to construct the required number of income-restricted residential for-sale units as a part of their projects. Paying the in-lieu fee is an alternative to constructing the on-site affordable units and in order to authorize payment of the in-lieu fee, the City Council must first determine that the construction of the units is infeasible. The Inclusionary Requirements establish the in-lieu fees as an amount sufficient to make up the monetary gap between the median sales price of a unit and the housing price affordable to a household earning 121% of the AMI.

Median Sales Prices: To determine the median sales price of units sold in 2022, Community Development Department staff accessed the County of Santa Barbara Assessor's records. The data showed the sales of 76 single-family dwellings and 70 condominiums recorded in 2022 within the City of Carpinteria, not including gift or inheritance transfers. The median sale price was \$1,499,000 for single-family dwellings and \$775,000 for condominiums (see Attachment B and Attachment C for details).

As background, there were 71 single family dwellings sold in 2021 with a median sales price of \$1,275,000 and 124 condominiums sold at a median sales price of \$680,000.

Interest Rate: The mortgage interest rate used as an average is 6.81%.

County Area Median Income: The Santa Barbara County annual AMI increased in 2023 to \$107,300 from \$100,100 for a household of four. The City's Inclusionary Housing Requirements provide that in-lieu housing fees should be set for a household of four persons that earns 121% of the AMI.

Using the adopted in-lieu fee formula with the updates described above, the 2023 in-lieu fees for single-family dwellings and condominiums are calculated as shown below:

2023 Single Family Dwelling In-lieu Fee

\$1,499,000 (median 2022 SFD sales price) minus \$525,500 (max. sales price for an income of 121% of the AMI) equals **\$973,500 In-lieu Fee**, up \$238,100 from the 2022 In-lieu Fee of \$735,400

2023 Condominium In-lieu Fee

\$775,000 (median 2022 condominium sales price) minus \$458,400 (max. sales price for an income of 121% of AMI) equals **\$316,600 In-lieu Fee**, up \$102,400 from the 2022 In-lieu Fee of \$214,200

City Council Resolution No. 6260 (Attachment A, Exhibits 1 and 2) shows these calculations in more detail.

POLICY CONSISTENCY

Government Code Section 65580 et. seq. mandates that cities implement programs to ensure there are sufficient sites to address the community's housing needs, offset the demand on housing created by new development, and protect the economic diversity of housing stock by promoting the development of affordable housing. The City's Housing Element further mandates that it adopt an inclusionary housing ordinance, which has been established in Carpinteria Municipal Code Chapter 14.75 – Inclusionary Housing Requirement. Setting the in-lieu fees annually is consistent with these laws and policies.

FINANCIAL CONSIDERATIONS

An annual adjustment of the fees ensures that the City has sufficient revenue to meet program objectives. There is no anticipated significant financial impact to the City as a result of updating the Inclusionary Housing In-lieu Fees. There is no fund balance in the In-lieu Fee Fund as no projects have yet been authorized to pay an in-lieu fee. Historically, the City has opted for the construction of affordable units over the payment of the In-lieu Fee.

ENVIRONMENTAL

Adoption of the In-lieu Fees set forth in Resolution No. 6260 is statutorily exempt from the provisions of the California Environmental Quality Act pursuant to Title 14 of the California Code of Regulations, Article 20, Section 15378 as the adoption of the fees does not involve a commitment to any specific project or course of action that may result in a potentially significant impact on the environment.

OPTIONS

Direct staff to make modifications as deemed appropriate to the In-lieu Fee calculations and revise the Resolution to include these changes.

PRINCIPAL PARTIES EXPECTED AT MEETING

None.

ATTACHMENTS

- A. Resolution No. 6260 Setting In-lieu Fees for 2023
 - Exhibit 1 - Single Family Dwelling In-lieu Fee Calculation
 - Exhibit 2 - Condominium Unit In-lieu Fee Calculation
- B. 2022 Single Family Dwelling Sales Data
- C. 2022 Condominium Sales Data

Staff contact: Syndi Souter, Associate Planner
(805) 755-4405, syndis@carpinteriaca.gov


Signature

Reviewed by: Steve Goggia, Community Development Director
(805) 755-4414, steveg@carpinteriaca.gov


Signature

Reviewed by: Dave Durflinger, City Manager
(805) 755-4400, daved@carpinteriaca.gov


Signature

Attachment A

City Council Resolution No. 6260 2023 In-Lieu Affordable Housing Fees

*City Council Meeting
July 24, 2023*

RESOLUTION NO. 6260

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA UPDATING THE IN-LIEU HOUSING FEES FOR 2023 ASSOCIATED WITH THE INCLUSIONARY HOUSING REQUIREMENTS OF CHAPTER 14.75 OF THE CARPINTERIA MUNICIPAL CODE

WHEREAS, the City of Carpinteria adopted Ordinance No. 590 adding Chapter 14.75 of the Carpinteria Municipal Code, which establishes an inclusionary housing requirement for all new residential development of five or more units that requires a subdivision map; and

WHEREAS, the City's inclusionary housing program focuses on the creation of new residential units that are affordable to above-moderate income households earning between 121% and 200% of the area median income; and

WHEREAS, the inclusionary program requires that all new residential development that falls within the requirements of Chapter 14.75 of the Carpinteria Municipal Code provide 12% of the total residential units at a price affordable to a household earning 121% of the area median income, or if the City Council finds that the provision of onsite inclusionary housing is infeasible, the applicant may pay an in-lieu fee; and

WHEREAS, the amount of the in-lieu fee is intended to equal the cost difference between the median sale price of a residential unit in the City and the sale price of a unit affordable to a household earning 121% of the area median income; and

WHEREAS, Carpinteria Municipal Code Section 14.75.090 requires that the City Council adopt an in-lieu fee for new residential development projects that are subject to Chapter 14.75 of the Carpinteria Municipal Code but cannot otherwise provide on-site inclusionary housing based on a finding by the City Council; and

WHEREAS, Carpinteria Municipal Code Section 14.75.090 requires that the in-lieu fee be based on a calculation using the median sale price of single-family dwellings and the median sale price of condominiums in the City for the prior year; and

WHEREAS, the in-lieu fee authorized under Carpinteria Municipal Code Chapter 14.75 constitutes a traditional land use or zoning enactment regulating the use of property, rather than the imposition of an exaction upon property owners; and

WHEREAS, Carpinteria Municipal Code Chapter 14.75 specifies that the City Council may annually review the median sale price for single-family dwellings and condominiums and based on that review, adjust the in-lieu fee; and

WHEREAS, the City Council has reviewed data from the County Clerk-Recorder/Assessor for 2022 and determined that the median sale price of single-family dwellings and condominiums in the City should be adjusted; and

WHEREAS, the City Council recognizes that the City's ownership housing stock comprises detached single-family dwellings and condominiums and that there is a cost difference between developing single-family units and condominium units; and

WHEREAS, the City Council has considered in-lieu fee calculations for single-family dwellings and condominium units (Exhibits 1 and 2) that reflect the appropriate cost of offsite housing that is affordable to households earning 121% of the area median income; and

WHEREAS, a properly noticed regularly scheduled meeting of the City Council was held on July 24, 2023 at 5:30 p.m., at City Hall, 5775 Carpinteria Avenue, Carpinteria, California 93013.

NOW, THEREFORE, it is hereby resolved by the City Council of the City of Carpinteria as follows:

SECTION 1. Findings.

The City Council hereby finds as follows:

- A. All provisions set forth above are true and correct and are hereby incorporated by reference as findings.
- B. The purpose of the fees adopted by this Resolution is to assist the City in providing affordable housing to meet its housing requirements as set forth in its General Plan, Housing Element, and state Regional Housing Needs Assessment.
- C. The fees collected pursuant to this Resolution and Ordinance No. 590 shall be used to fund the development, maintenance, and oversight of housing affordable to households earning less than 200% of the area median income.
- D. City staff and independent consultants, such as John Douglas and Associates, have presented evidence through staff reports, studies, and oral testimony at public hearings that the City cannot provide the requisite number of affordable units without some intervention and City-imposed requirements.
- E. Under the City's Housing Element, new residential development is required to provide a percentage of the total units at an affordable level and is allowed to satisfy such requirement by payment of an in-lieu fee if the City Council finds that the applicant is unable to provide such units onsite.
- F. The in-lieu fee constitutes a traditional land use or zoning enactment regulating the use of property, rather than the imposition of an exaction upon property owners.
- G. The price estimates and cost calculations set forth in the fees adopted by this Resolution are reasonable estimates based on the best available data.

- H. The fees set forth and adopted herein are consistent with the City's General Plan/Coastal Plan, and the Council has considered the effects of the fee with respect to the City's housing needs (as established in the Housing Element of the General Plan) and regional housing needs.

SECTION 2. In-lieu Fee for Single-Family Residential Development. The amount of the in-lieu fee created and imposed by this Resolution and pursuant to Ordinance No. 590 for development projects including single-family dwelling units is hereby established as \$973,500. The schedule of in-lieu fees that the City Council hereby adopts is attached hereto as Exhibit 1 dated July 24, 2023 and incorporated herein by reference as though set forth in full. The fee amount set forth in Exhibit 1 shall be imposed on those new residential developments that include single-family residential development, as defined in Ordinance No. 590, and which the City Council determines cannot provide the necessary inclusionary housing onsite.

SECTION 3. In-lieu Fee for Residential Condominium Development. The amount of the in-lieu fee created and imposed by this Resolution and pursuant to Ordinance No. 590 for development projects including condominium units is hereby established as \$316,600. The schedule of in-lieu fees that the City Council hereby adopts is attached hereto as Exhibit 2 dated July 24, 2023 and incorporated herein by reference as though set forth in full. The fee amount set forth in Exhibit 2 shall be imposed on those new residential developments that include condominium units, as defined in Ordinance No. 590, and which the City Council determines cannot provide the necessary inclusionary housing onsite.

SECTION 4. Resolution Subject to Underlying Ordinances. The provisions of this Resolution are subject and subordinate to the provisions of Carpinteria Municipal Code Chapter 14.75 and shall at all times be construed and applied consistent therewith as the same presently exists or may from time-to-time hereafter be amended.

SECTION 5. Effective Date. This Resolution shall be in full force and effect thirty (30) days after its adoption.

SECTION 6. Exemption from Environmental Review. Adoption of the fees set forth herein is exempt from the provisions of the California Environmental Quality Act pursuant to Title 14 of the California Code of Regulations, Article 20, Section 15378 because the adoption of said fees does not involve a commitment to any specific project or course of action that may result in a potentially significant impact on the environment.

SECTION 7. Severability. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Resolution. The City Council hereby declares that it would have adopted this Resolution, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more

sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

NOW, THEREFORE, the Carpinteria City Council hereby resolves that the 2023 In-lieu Fees associated with the Inclusionary Housing Requirements of Chapter 14.75, using best available 2022 data, are \$973,500 for a single-family dwelling and \$316,600 for a condominium unit as shown in Exhibits 1 and 2 attached hereto are hereby adopted, and this Resolution supersedes all previously adopted In-Lieu Fee Resolutions.

PASSED, APPROVED AND ADOPTED this 24th day of July, 2023 by the following called vote:

AYES: **COUNCILMEMBERS:**

NOES: **COUNCILMEMBER(S):**

ABSENT: **COUNCILMEMBER(S):**

ABSTAIN: **COUNCILMEMBER(S):**

Mayor, City of Carpinteria

ATTEST:

Brian C. Barrett, CMC, 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 July 24, 2023.

Brian C. Barrett, CMC, City Clerk
City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of
Brownstein Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria

**Resolution No. 6260
Exhibit 1**

July 24, 2023

**2023 In-lieu Fee Calculation
Single Family Dwelling**

Median Income: \$107,300 (2023)

Median Sale Price for a Single-Family Dwelling Sold in Carpinteria in 2022	\$1,499,000

Minus	-

Max. Affordable Sale Price	<u>\$525,500</u>

In-lieu Fee	\$973,500

Sale Price Factors

Unit Size Multiplier*	1.05
Housing Cost to Income Ratio	30%
Interest Rate	6.81%
PMI	1.0%
Target Income for Affordability*	\$136,325
Maximum Payment for Housing	\$3,408

Amount of Loan this will Amortize	\$472,964
Plus 10% Down Payment	\$52,552
Maximum Sale Price	\$525,500

*121% of median income, four-person household, three bedrooms

**Resolution No. 6260
Exhibit 2**

July 24, 2023

**2023 In-lieu Fee Calculation
Condominium Dwelling**

Median Income: \$107,300 (2023)

Median Sale Price for a Condominium Dwelling Sold in Carpinteria in 2022	\$775,000

Minus	-

Max. Affordable Sale Price	<u>\$458,400</u>

In-lieu Fee	\$316,600

Sale Price Factors

Unit Size Multiplier*	1.05
Housing Cost to Income Ratio	30%
Interest Rate	6.81%
PMI	1.0%
HOA Fee	\$435
Target Income for Affordability*	\$136,325
Maximum Payment for Housing	\$3,408

Amount of Loan this will Amortize	\$412,594
Plus 10% Down Payment	\$45,844
Maximum Sale Price	\$458,400

*121% of median income, four-person household, three bedrooms

Attachment B

2022 Single Family Dwelling Sales

*City Council Meeting
July 24, 2023*

APN	Address	SalePrice	SaleDate	Bedroom	BathR	SqFt	YearBuilt	YearEff	Acreage	LotSize	PropUse	SitusStre	SitusStre1	SitusStre2	SitusUnit1	SitusUnit2	SitusCity	SitusZip	Location	DecType	TRAPPrefix	TblReapprPct
001-470-008	6372 LAGUNITAS CT CARPINTERIA, CA 93013	\$1,511,500	01/05/2022	3	2.5	2208	2012	2012	0.16	6969.6	Single Family Residence	6372	LAGUNITAS CT				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
004-014-013	1260 CRAVENS LN CARPINTERIA, CA 93013	\$1,200,000	01/05/2022	3	2.5	1818	1990	1991	0.0417	1816.45	Single Family Residence	1260	CRAVENS LN			1	CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
001-292-021	5458 DARIESA ST CARPINTERIA, CA 93013		01/11/2022	4	2	1470	1964	1964	0.19	8276.4	Single Family Residence	5458	DARIESA ST				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
001-470-018	6387 LAGUNITAS CT CARPINTERIA, CA 93013	\$1,500,000	01/20/2022	4	2.5	2172	2013	2013	0.1	4356	Single Family Residence	6387	LAGUNITAS CT				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
003-600-036	4715 ARAGON DR CARPINTERIA, CA 93013	\$1,400,000	01/20/2022	4	3	1827	1971	1980	0.21	9147.6	Single Family Residence	4715	ARAGON DR				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
001-242-015	1349 LA MANIDA CARPINTERIA, CA 93013	\$1,500,000	01/31/2022	4	2.5	1944	1961	1962	0.27	11761.2	Single Family Residence	1349	LA MANIDA				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
003-381-030	5518 CALLE ARENA CARPINTERIA, CA 93013		02/03/2022	3	1.5	1184	1949	1949	0.17	7405.2	Single Family Residence	5518	CALLE ARENA				CARPINTERIA	93013	City of Carpinteria	DIE	05	100.00 %
003-104-002	1266 CRAMER CIR CARPINTERIA, CA 93013	\$1,150,000	02/04/2022	4	2	1152	1970	1985	0.1136	4948.41	Single Family Residence	1266	CRAMER CIR				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
003-434-004	4756 FOURTH ST CARPINTERIA, CA 93013		02/09/2022	2	1	817	1946	1946	0.13	5662.8	Single Family Residence	4756	FOURTH ST				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
001-271-004	1483 ALVA ST CARPINTERIA, CA 93013	\$1,230,000	02/18/2022	3	3	2338	1963	2005	0.25	10890	Single Family Residence	1483	ALVA ST				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
003-543-019	4773 STERLING WAY CARPINTERIA, CA 93013	\$1,059,000	02/24/2022	3	2	1069	1962	1962	0.25	10890	Single Family Residence	4773	STERLING WAY				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
004-014-002	1250 CRAVENS LN CARPINTERIA, CA 93013	\$1,049,000	02/28/2022	3	2.5	1817	1990	2005	0.03	1306.8	Single Family Residence	1250	CRAVENS LN			2	CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
001-242-001	1346 CAMINO TRILLADO CARPINTERIA, CA 93013	\$1,615,000	03/03/2022	3	2	1232	1962	1995	0.14	6098.4	Single Family Residence	1346	CAMINO TRILLADO				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
001-241-004	1323 CAMINO TRILLADO CARPINTERIA, CA 93013		03/03/2022	3	2	1232	1961	1975	0.14	6098.4	Single Family Residence	1323	CAMINO TRILLADO				CARPINTERIA	93013	City of Carpinteria	P19	05	100.00 %
004-006-054	1557 MEADOW CIR CARPINTERIA, CA 93013		03/04/2022	4	2.5	2104	1987	1987	0.12	5227.2	Single Family Residence	1557	MEADOW CIR				CARPINTERIA	93013	City of Carpinteria	DEED	05	50.00 %
001-272-009	5459 SHEMARA ST CARPINTERIA, CA 93013	\$1,382,500	03/11/8/2022	4	2	1300	1963	1975	0.2	8712	Single Family Residence	5459	SHEMARA ST				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
004-017-011	1302 TRIESTE LN CARPINTERIA, CA 93013	\$1,050,000	03/28/2022	3	2.5	2744	1980	1980	0.22	9583.2	Single Family Residence	1302	TRIESTE LN				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
003-251-005	937 HOLLY AVE CARPINTERIA, CA 93013	\$1,600,000	03/29/2022	3	1	880	1920	1970	0.17	7405.2	Single Family Residence	937	HOLLY AVE				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
004-006-065	1579 MEADOW CIR CARPINTERIA, CA 93013	\$1,300,000	04/11/2022	3	2.5	1992	1987	1987	0.14	6098.4	Single Family Residence	1579	MEADOW CIR				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
001-293-004	5401 DARIESA ST CARPINTERIA, CA 93013		04/18/2022	3	2	1296	1964	1964	0.15	6534	Single Family Residence	5401	DARIESA ST				CARPINTERIA	93013	City of Carpinteria	DIE	05	100.00 %
003-101-008	4462 VIA REAL CARPINTERIA, CA 93013	\$1,175,000	04/19/2022	4	3	1642	1970	1980	0.12	5227.2	Single Family Residence	4462	VIA REAL				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
003-142-033	5110 OGAN DR CARPINTERIA, CA 93013	\$674,500	04/22/2022	4	2	2156	2015	2015	0.22	9583.2	Single Family Residence	5110	OGAN DR				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
003-340-010	5585 RETORNO DR CARPINTERIA, CA 93013	\$2,762,500	04/22/2022	3	2	1700	1972	1972	0.32	13939.2	Single Family Residence	5585	RETORNO DR				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
003-370-011	435 CONCHA LOMA DR CARPINTERIA, CA 93013		04/25/2022	3	2	1240	1981	1981	0.44	19166.4	Single Family Residence	435	CONCHA DR				CARPINTERIA	93013	City of Carpinteria	DIE	05	100.00 %
003-381-030	5518 CALLE ARENA CARPINTERIA, CA 93013	\$2,500,000	05/06/2022	3	1.5	1184	1949	1949	0.17	7405.2	Single Family Residence	5518	CALLE ARENA				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
003-552-025	1329 POST AVE CARPINTERIA, CA 93013	\$1,550,000	05/06/2022	5	3	2702	1964	1980	0.16	6969.6	Single Family Residence	1329	POST AVE				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
001-400-018	5361 SANTA ROSA LN CARPINTERIA, CA 93013	\$1,619,500	05/10/2022	3	2	1650	1974	1990	0.18	7840.8	Single Family Residence	5361	SANTA ROSA LN				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
003-172-016	5379 STAR PINE RD CARPINTERIA, CA 93013		05/15/2022	2	2	2019	1963	1964	0.24	10454.4	Single Family Residence	5379	STAR PINE RD				CARPINTERIA	93013	City of Carpinteria	DIE	05	100.00 %
003-292-009	770 ARBOL VERDE ST CARPINTERIA, CA 93013		05/16/2022	3	2	1212	1958	1958	0.15	6534	Single Family Residence	770	ARBOL VERDE ST				CARPINTERIA	93013	City of Carpinteria	DIE	05	100.00 %
003-291-040	5522 CALLE OCHO CARPINTERIA, CA 93013	\$2,250,000	05/18/2022	3	2	2496	1920	1950	0.46	20037.6	Single Family Residence	5522	CALLE OCHO				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
003-552-018	1310 DELTA AVE CARPINTERIA, CA 93013		05/20/2022	3	2	1250	1964	1965	0.27	11761.2	Single Family Residence	1310	DELTA AVE				CARPINTERIA	93013	City of Carpinteria	DEED	05	2.00 %
004-104-022	5011 PACIFIC VILLAGE DR CARPINTERIA, CA 93013	\$1,700,000	05/23/2022	5	3	2074	1999	1999	0.17	7405.2	Single Family Residence	5011	PACIFIC VILLAGE DR				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
001-280-012	1483 TRENORA ST CARPINTERIA, CA 93013		05/23/2022	4	2	1549	1963	1964	0.19	8276.4	Single Family Residence	1483	TRENORA ST				CARPINTERIA	93013	City of Carpinteria	DIE	05	100.00 %
004-006-003	4953 FOOTHILL RD CARPINTERIA, CA 93013	\$1,895,000	05/25/2022	4	3	2388	1990	1991	0.28	12196.8	Single Family Residence	4953	FOOTHILL RD				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
004-006-081	5042 ALVARADO RD CARPINTERIA, CA 93013	\$1,800,000	05/27/2022	4	3	2420	1981	1981	0.25	10890	Single Family Residence	5042	ALVARADO RD				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
003-104-013	1252 CRAMER CIR CARPINTERIA, CA 93013	\$1,100,000	06/01/2022	4	2	1658	1971	1971	0.1154	5026.82	Single Family Residence	1252	CRAMER CIR				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
001-271-014	1477 HAIDA ST CARPINTERIA, CA 93013	\$1,500,000	06/10/2022	3	2	1144	1963	1963	0.19	8276.4	Single Family Residence	1477	HAIDA ST				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
004-014-021	1272 CRAVENS LN CARPINTERIA, CA 93013	\$1,250,000	06/15/2022	3	2.5	1956	1991	2000	0.04	1742.4	Single Family Residence	1272	CRAVENS LN			1	CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
001-280-001	1493 ANDREA ST CARPINTERIA, CA 93013		06/20/2022	4	2	1300	1963	1964	0.18	7840.8	Single Family Residence	1493	ANDREA ST				CARPINTERIA	93013	City of Carpinteria	DIE	05	100.00 %
003-243-018	4679 NINTH ST CARPINTERIA, CA 93013		06/20/2022	2	1	744	1910	1910	0.044	1916.64	Single Family Residence	4679	NINTH ST				CARPINTERIA	93013	City of Carpinteria	DIE	05	100.00 %
003-590-011	1458 CAMELLIA CIR CARPINTERIA, CA 93013	\$1,325,000	06/22/2022	3	2	1313	1969	1969	0.15	6534	Single Family Residence	1458	CAMELLIA CIR				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %
003-590-027	1475 CAMELLIA CIR CARPINTERIA, CA 93013	\$1,125,000	06/23/2022	3	2	1553	1969	1970	0.15	6534	Single Family Residence	1475	CAMELLIA CIR				CARPINTERIA	93013	City of Carpinteria	DEED	05	100.00 %

001-300-006	5432 CAMEO RD CARPINTERIA, CA 93013	\$900,000	07/01/2022	3	2	1658	1968	1995	0.16	6969.6	Single Family Residence	5432	CAMEO RD	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
003-142-035	5140 OGAN RD CARPINTERIA, CA 93013	\$1,895,000	07/08/2022	4	2.5	2186	2022	2022	0.19	8276.4	Single Family Residence	5140	OIGAN RD	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
003-101-025	1320 SANTA MONICA RD CARPINTERIA, CA 93013		07/10/2022	4	2.5	1890	1977	1977	0.16	6969.6	Single Family Residence	1320	SANTA M RD	CARPINTI 93013	City of Carpinteria	DIE	05	100.00 %
003-142-034	5130 OGAN RD CARPINTERIA, CA 93013	\$1,995,000	07/11/2022	4	4	2508	2022	2022	0.22	9583.2	Single Family Residence	5130	OIGAN RD	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
004-011-019	1479 THERESA ST CARPINTERIA, CA 93013	\$1,475,000	07/15/2022	4	2	1521	1975	1990	0.2	8712	Single Family Residence	1479	THERESA ST	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
001-300-007	5438 CAMEO RD CARPINTERIA, CA 93013		07/24/2022	3	2	1912	1968	1969	0.16	6969.6	Single Family Residence	5438	CAMEO RD	CARPINTI 93013	City of Carpinteria	DIE	05	100.00 %
004-008-040	4465 LA TIERRA LN CARPINTERIA, CA 93013		07/25/2022	4	2	1531	1971	1972	0.14	6098.4	Single Family Residence	4465	LA TIERR, LN	CARPINTI 93013	City of Carpinteria	DIE	05	100.00 %
003-152-027	1070 HOLLY AVE CARPINTERIA, CA 93013		08/06/2022	4	2	2151	1950	1950	0.21	9147.6	Single Family Residence	1070	HOLLY AVE	CARPINTI 93013	City of Carpinteria	DIE	05	100.00 %
003-351-013	565 ARBOL VERDE ST CARPINTERIA, CA 93013	\$2,100,000	08/19/2022	4	2	1389	1957	1980	0.16	6969.6	Single Family Residence	565	ARBOL VI ST	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
003-381-030	5518 CALLE ARENA CARPINTERIA, CA 93013		08/19/2022	3	1.5	1184	1949	1949	0.17	7405.2	Single Family Residence	5518	CALLE ARENA	CARPINTI 93013	City of Carpinteria	P19	05	100.00 %
004-008-047	4436 LA TIERRA LN CARPINTERIA, CA 93013	\$1,195,000	08/23/2022	3	2	1012	1971	1972	0.16	6969.6	Single Family Residence	4436	LA TIERR, LN	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
004-027-069	1341 TOMOL DR CARPINTERIA, CA 93013	\$1,350,000	08/26/2022	3	2	1283	1958	1990	0.15	6534	Single Family Residence	1341	TCMOL DR	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
003-340-013	5586 RETORNO DR CARPINTERIA, CA 93013	\$2,375,000	09/08/2022	3	2.5	1975	1952	1995	0.24	10454.4	Single Family Residence	5586	RETORNO DR	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
001-400-063	1382 CAMINO TRILLADO CARPINTERIA, CA 93013		09/08/2022	4	2	1503	1974	1975	0.22	9583.2	Single Family Residence	1382	CAMINO TRILLADO	CARPINTI 93013	City of Carpinteria	P19	05	100.00 %
003-142-037	5120 COTTAGE DR CARPINTERIA, CA 93013	\$2,100,000	09/09/2022	4	3	2464	2022	2022	0.17	7405.2	Single Family Residence	5120	COTTAGE DR	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
004-011-019	1479 THERESA ST CARPINTERIA, CA 93013	\$1,499,000	09/12/2022	4	2	1521	1975	1990	0.2	8712	Single Family Residence	1479	THERESA ST	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
003-102-021	1364 CRAMER CIR CARPINTERIA, CA 93013	\$1,050,000	09/15/2022	3	2	1210	1984	1984	0.1312	5715.07	Single Family Residence	1364	CRAMER CIR	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
004-027-038	1325 LINHERE DR CARPINTERIA, CA 93013	\$1,250,000	09/16/2022	4	2	1386	1958	1959	0.15	6534	Single Family Residence	1325	LINHERE DR	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
004-012-012	5226 EL CARRO LN CARPINTERIA, CA 93013	\$1,680,000	09/20/2022	4	2	1600	1967	1967	0.2	8712	Single Family Residence	5226	EL CARRI LN	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
004-008-059	4525 LA TIERRA LN CARPINTERIA, CA 93013	\$1,750,000	09/23/2022	4	2	2330	1971	1972	0.22	9583.2	Single Family Residence	4525	LA TIERR, LN	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
003-142-038	5110 COTTAGE DR CARPINTERIA, CA 93013	\$2,150,000	09/28/2022	4	3.5	2169	2022	2022	0.21	9147.6	Single Family Residence	5110	COTTAGE DR	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
003-600-024	4686 ARAGON DR CARPINTERIA, CA 93013		09/29/2022	3	2	1131	1970	1971	0.17	7405.2	Single Family Residence	4686	ARAGON DR	CARPINTI 93013	City of Carpinteria	DIE	05	100.00 %
004-006-058	1567 MEADOW CIR CARPINTERIA, CA 93013		10/01/2022	3	3	1698	1987	1995	0.11	4791.6	Single Family Residence	1567	MEADOW CIR	CARPINTI 93013	City of Carpinteria	DIE	05	100.00 %
004-009-049	1478 EUCALYPTUS ST CARPINTERIA, CA 93013		10/11/2022	4	2	1335	1972	1972	0.15	6534	Single Family Residence	1478	EUCALYP ST	CARPINTI 93013	City of Carpinteria	DIE	05	100.00 %
004-014-030	1256 CRAVENS LN CARPINTERIA, CA 93013	\$1,189,500	10/17/2022	3	2.5	1956	1990	1990	0.03	1306.8	Single Family Residence	1256	CRAVENS LN	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
003-543-001	1455 STERLING AVE CARPINTERIA, CA 93013	\$1,085,000	11/01/2022	3	2	1248	1962	1963	0.18	7840.8	Single Family Residence	1455	STERLING AVE	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
004-006-003	4953 FOOTHILL RD CARPINTERIA, CA 93013		11/02/2022	4	3	2388	1990	1991	0.28	12196.8	Single Family Residence	4953	FOOTHILL RD	CARPINTI 93013	City of Carpinteria	P19	05	100.00 %
003-291-025	5688 FIESTA DR CARPINTERIA, CA 93013	\$1,500,000	11/16/2022	3	2	1493	1957	1957	0.17	7405.2	Single Family Residence	5688	FIESTA DR	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
003-243-005	4637 NINTH ST CARPINTERIA, CA 93013	\$1,233,000	11/18/2022	3	2.5	2052	1983	1983	0.13	5662.8	Single Family Residence	4637	NINTH ST	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
003-142-036	1315 VALLECITO PL CARPINTERIA, CA 93013	\$1,900,000	11/22/2022	4	3	2042	2022	2022	0.26	11325.6	Single Family Residence	1315	VALLECIT PL	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
003-590-024	1457 CAMELLIA CIR CARPINTERIA, CA 93013	\$1,350,000	11/30/2022	3	2	1313	1969	1969	0.15	6534	Single Family Residence	1457	CAMELLIA CIR	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
003-243-005	4637 NINTH ST CARPINTERIA, CA 93013		12/02/2022	3	2.5	2052	1983	1983	0.13	5662.8	Single Family Residence	4637	NINTH ST	CARPINTI 93013	City of Carpinteria	P19	05	100.00 %
003-291-008	839 ARBOL VERDE ST CARPINTERIA, CA 93013		12/05/2022	4	2	1428	1958	1958	0.23	10018.8	Single Family Residence	839	ARBOL VI ST	CARPINTI 93013	City of Carpinteria	DIE	05	100.00 %
001-280-006	1466 ANDREA ST CARPINTERIA, CA 93013		12/08/2022	4	2	1300	1963	1964	0.22	9583.2	Single Family Residence	1466	ANDREA ST	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %
003-153-017	4975 SAWYER AVE CARPINTERIA, CA 93013	\$1,825,000	12/16/2022	2	1	744	1939	1960	0.16	6969.6	Single Family Residence	4975	SAWYER AVE	CARPINTI 93013	City of Carpinteria	DEED	05	100.00 %

2022 MEDIAN SALES PRICE \$1,499,000.00

2022 AVERAGE SALES PRIC \$1,521,960.78

Attachment C

2022 Condominium Sales

*City Council Meeting
July 24, 2023*

APN	Address	SalePrice	SaleDate	Bedro	BathR	SqFoot	YearBui	YearEff	Acresgr	LotSiz	PropUse	SitusStres	SitusStres	SitusStres	SitusUnit	SitusUnit	SitusCity	SitusZip	Location	DocType	TRAPrefix	TtlReapprPct
004-102-014	4692 CARPINTERIA AVE CARPINTERIA, CA 93013	\$735,000	01/04/2022	2	2.5	1091	1996	2005	0.01	435.6	Condominium	4692	CARPINTE AVE		14		CARPINTE 93013		City of Car DEED	05	100.00 %	
001-321-016	5966 VIA REAL CARPINTERIA, CA 93013	\$520,000	01/11/2022	2	1	945	1972	1972	0	0	Condominium	5966	VIA REAL		4		CARPINTE 93013		City of Car DEED	05	100.00 %	
004-110-004	1058 CRAMER RD CARPINTERIA, CA 93013	\$775,000	01/19/2022	2	2	843	2007	2007	0	0	Condominium	1058	CRAMER RD				CARPINTE 93013		City of Car DEED	05	100.00 %	
003-660-020	220 ELM AVE CARPINTERIA, CA 93013		01/19/2022	1	1	579	1972	2000	0	0	Condominium	220	ELM AVE		20		CARPINTE 93013		City of Car DIE	05	100.00 %	
004-015-048	1261 FRANCISCAN CT CARPINTERIA, CA 93013	\$665,000	01/20/2022	2	2	847	1986	1995	0	0	Condominium	1261	FRANCISC CT		7		CARPINTE 93013		City of Car DEED	05	100.00 %	
003-890-001	4886 SAWYER AVE CARPINTERIA, CA 93013	\$832,000	01/27/2022	2	2	1530	1984	1985	0	0	Condominium	4886	SAWYER AVE				CARPINTE 93013		City of Car DEED	05	100.00 %	
003-920-044	4525 CARPINTERIA AVE CARPINTERIA, CA 93013	\$815,000	01/28/2022	2	2.5	1428	1987	1987	0	0	Condominium	4525	CARPINTE AVE		8		CARPINTE 93013		City of Car DEED	05	100.00 %	
003-890-021	4944 SAWYER AVE CARPINTERIA, CA 93013		01/28/2022	2	1	910	1984	1985	0	0	Condominium	4944	SAWYER AVE				CARPINTE 93013		City of Car DIE	05	100.00 %	
001-340-033	1006 PALMETTO WAY CARPINTERIA, CA 93013	\$635,000	02/02/2022	2	1.5	1116	1973	1974	0	0	Condominium	1006	PALMETT WAY		H		CARPINTE 93013		City of Car DEED	05	100.00 %	
003-640-007	5455 EIGHTH ST CARPINTERIA, CA 93013	\$740,000	02/08/2022	3	2	1314	1971	1980	0	0	Condominium	5455	EIGHTH ST		7		CARPINTE 93013		City of Car DEED	05	100.00 %	
003-920-028	4527 CARPINTERIA AVE CARPINTERIA, CA 93013		02/15/2022	2	1.5	1420	1987	1987	0	0	Condominium	4527	CARPINTE AVE		C		CARPINTE 93013		City of Car DIE	05	100.00 %	
003-650-007	5455 EIGHTH ST CARPINTERIA, CA 93013		02/21/2022	2	2	1096	1971	1972	0	0	Condominium	5455	EIGHTH ST		35		CARPINTE 93013		City of Car DIE	05	100.00 %	
003-780-037	4430 CATLIN CIR CARPINTERIA, CA 93013	\$850,000	02/24/2022	2	1.5	1024	1977	2000	0	0	Condominium	4430	CATLIN CIR		8		CARPINTE 93013		City of Car DEED	05	100.00 %	
003-890-060	4860 SAWYER AVE CARPINTERIA, CA 93013	\$1,040,500	03/03/2022	3	2	1546	1984	1985	0	0	Condominium	4860	SAWYER AVE				CARPINTE 93013		City of Car DEED	05	100.00 %	
004-110-005	1064 CRAMER RD CARPINTERIA, CA 93013	\$975,000	03/03/2022	3	2.5	1286	2007	2007	0	0	Condominium	1064	CRAMER RD				CARPINTE 93013		City of Car DEED	05	100.00 %	
004-120-004	4020 GREEN HERON SPRING DR CARPINTERIA, CA 93013	\$800,000	03/04/2022	2	2	1301	2020	2020	0.03	1306.8	Condominium	4020	GREEN HI DR				CARPINTE 93013		City of Car DEED	05	100.00 %	
001-311-058	5915 HICKORY ST CARPINTERIA, CA 93013		03/10/2022	2	1	840	1972	1972	0	0	Condominium	5915	HICKORY ST		2		CARPINTE 93013		City of Car DIE	05	66.66 %	
001-322-009	5970 HICKORY ST CARPINTERIA, CA 93013		03/10/2022	2	1	837	1972	1990	0	0	Condominium	5970	HICKORY ST		1		CARPINTE 93013		City of Car DIE	05	66.66 %	
004-102-018	4692 CARPINTERIA AVE CARPINTERIA, CA 93013	\$710,000	03/25/2022	2	1	870	1996	2000	0.01	435.6	Condominium	4692	CARPINTE AVE		18		CARPINTE 93013		City of Car DEED	05	100.00 %	
001-321-030	1021 BAILARD AVE CARPINTERIA, CA 93013		03/30/2022	2	1	840	1972	1972	0	0	Condominium	1021	BAILARD AVE		2		CARPINTE 93013		City of Car DIE	05	100.00 %	
001-480-031	6351 LAGUNITAS CT CARPINTERIA, CA 93013	\$985,000	03/31/2022	2	2	1437	2013	2013	0	0	Condominium	6351	LAGUNITAS CT				CARPINTE 93013		City of Car DEED	05	100.00 %	
003-920-032	4527 CARPINTERIA AVE CARPINTERIA, CA 93013	\$815,500	03/31/2022	2	2.5	1460	1987	1987	0	0	Condominium	4527	CARPINTE AVE		A		CARPINTE 93013		City of Car DEED	05	100.00 %	
001-311-016	5926 VIA REAL CARPINTERIA, CA 93013	\$600,000	04/05/2022	2	1	945	1972	1995	0	0	Condominium	5926	VIA REAL		4		CARPINTE 93013		City of Car DEED	05	100.00 %	
001-380-003	6088 JACARANDA WAY CARPINTERIA, CA 93013	\$750,000	04/05/2022	3	1.5	1302	1977	1985	0	0	Condominium	6088	JACARAN WAY		C		CARPINTE 93013		City of Car DEED	05	100.00 %	
003-690-005	231 LINDEN AVE CARPINTERIA, CA 93013	\$815,000	04/13/2022	1	1	579	1972	2000	0	0	Condominium	231	LINDEN AVE		5		CARPINTE 93013		City of Car DEED	05	100.00 %	
003-620-023	4700 SANDYLAND RD CARPINTERIA, CA 93013		04/19/2022	2	2	828	1970	1971	0	0	Condominium	4700	SANDYLA RD		42		CARPINTE 93013		City of Car DIE	05	100.00 %	
004-102-010	4692 CARPINTERIA AVE CARPINTERIA, CA 93013	\$825,000	04/22/2022	3	2.5	1332	1996	1996	0	0	Condominium	4692	CARPINTE AVE		10		CARPINTE 93013		City of Car DEED	05	100.00 %	
003-810-014	5448 EIGHTH ST CARPINTERIA, CA 93013	\$820,000	04/27/2022	2	1.5	1058	1979	2010	0	0	Condominium	5446	EIGHTH ST		14		CARPINTE 93013		City of Car DEED	05	100.00 %	
001-321-052	5985 HICKORY ST CARPINTERIA, CA 93013	\$550,000	04/29/2022	2	1	945	1972	1972	0	0	Condominium	5985	HICKORY ST		4		CARPINTE 93013		City of Car DEED	05	100.00 %	
003-640-040	5455 EIGHTH ST CARPINTERIA, CA 93013	\$851,000	05/02/2022	2	2	1115	1971	2010	0	0	Condominium	5455	EIGHTH ST		96		CARPINTE 93013		City of Car DEED	05	100.00 %	
004-015-012	1220 FRANCISCAN CT CARPINTERIA, CA 93013	\$617,500	05/18/2022	2	1	752	1986	2000	0	0	Condominium	1220	FRANCISC CT		11		CARPINTE 93013		City of Car DEED	05	100.00 %	
001-312-030	5946 HICKORY ST CARPINTERIA, CA 93013	\$525,000	05/19/2022	2	1	840	1972	1972	0	0	Condominium	5946	HICKORY ST		2		CARPINTE 93013		City of Car DEED	05	100.00 %	
003-650-007	5455 EIGHTH ST CARPINTERIA, CA 93013	\$735,000	05/23/2022	2	2	1096	1971	1972	0	0	Condominium	5455	EIGHTH ST		35		CARPINTE 93013		City of Car DEED	05	100.00 %	
003-640-036	5455 EIGHTH ST CARPINTERIA, CA 93013	\$798,000	05/24/2022	2	2	1115	1971	1980	0	0	Condominium	5455	EIGHTH ST		80		CARPINTE 93013		City of Car DEED	05	100.00 %	
003-620-028	4700 SANDYLAND RD CARPINTERIA, CA 93013	\$885,000	05/26/2022	2	2	828	1970	1975	0	0	Condominium	4700	SANDYLA RD		47		CARPINTE 93013		City of Car DEED	05	100.00 %	
004-015-077	1231 FRANCISCAN CT CARPINTERIA, CA 93013	\$760,000	05/26/2022	3	2.5	1550	1986	1986	0	0	Condominium	1231	FRANCISC CT		1		CARPINTE 93013		City of Car DEED	05	100.00 %	
003-700-004	4902 SANDYLAND RD CARPINTERIA, CA 93013	\$823,000	06/02/2022	1	1	442	1968	1980	0	0	Condominium	4902	SANDYLA RD		136		CARPINTE 93013		City of Car DEED	05	100.00 %	
003-780-002	4402 CATLIN CIR CARPINTERIA, CA 93013		06/07/2022	2	2	1320	1977	1978	0	0	Condominium	4402	CATLIN CIR		A		CARPINTE 93013		City of Car DIE	05	100.00 %	
003-730-020	130 ASH AVE CARPINTERIA, CA 93013	\$800,000	06/13/2022	1	1	623	1974	1975	0	0	Condominium	130	ASH AVE		20		CARPINTE 93013		City of Car DEED	05	100.00 %	
003-920-021	4515 CARPINTERIA AVE CARPINTERIA, CA 93013	\$985,000	06/14/2022	2	2.5	1428	1987	1995	0	0	Condominium	4515	CARPINTE AVE		G		CARPINTE 93013		City of Car DEED	05	100.00 %	
001-312-015	5926 HICKORY ST CARPINTERIA, CA 93013		06/28/2022	2	1	840	1972	1972	0	0	Condominium	5926	HICKORY ST		3		CARPINTE 93013		City of Car DIE	05	100.00 %	
003-920-028	4527 CARPINTERIA AVE CARPINTERIA, CA 93013	\$770,000	07/01/2022	2	1.5	1420	1987	1987	0	0	Condominium	4527	CARPINTE AVE		C		CARPINTE 93013		City of Car DEED	05	100.00 %	

003-990-018	4297 CARPINTERIA AVE CARPINTERIA, CA 93013	\$800,000	07/05/2022	2	1.5	1088	1990	1991	0	0	Condominium	4297	CARPINTE AVE	18	CARPINTE 93013	City of Car DEED	05	100.00 %
003-700-002	4902 SANDYLAND RD CARPINTERIA, CA 93013	\$769,000	07/22/2022	0	1	462	1968	1969	0	0	Condominium	4902	SANDYLA RD	134	CARPINTE 93013	City of Car DEED	05	100.00 %
001-360-030	6051 JACARANDA WAY CARPINTERIA, CA 93013	\$690,000	07/28/2022	3	1.5	1302	1974	1975	0	0	Condominium	6051	JACARAN WAY	B	CARPINTE 93013	City of Car DEED	05	100.00 %
001-370-005	6063 JACARANDA WAY CARPINTERIA, CA 93013	\$800,000	07/28/2022	3	2.5	1344	1972	1972	0	0	Condominium	6063	JACARAN WAY	E	CARPINTE 93013	City of Car DEED	05	100.00 %
003-650-018	5455 EIGHTH ST CARPINTERIA, CA 93013	\$705,000	07/29/2022	2	2	1096	1971	1972	0	0	Condominium	5455	EIGHTH ST	47	CARPINTE 93013	City of Car DEED	05	100.00 %
003-710-018	4950 SANDYLAND RD CARPINTERIA, CA 93013	\$799,000	08/05/2022	1	1	436	1962	1964	0	0	Condominium	4950	SANDYLA RD	230	CARPINTE 93013	City of Car DEED	05	100.00 %
003-810-016	5446 EIGHTH ST CARPINTERIA, CA 93013	\$725,000	08/16/2022	2	1.5	1058	1979	1979	0	0	Condominium	5446	EIGHTH ST	16	CARPINTE 93013	City of Car DEED	05	100.00 %
001-340-012	1042 PALMETTO WAY CARPINTERIA, CA 93013	\$710,000	08/24/2022	3	1.5	1302	1973	1974	0	0	Condominium	1042	PALMETT WAY	D	CARPINTE 93013	City of Car DEED	05	100.00 %
001-360-023	6039 JACARANDA WAY CARPINTERIA, CA 93013	\$710,000	08/24/2022	2	1.5	1116	1974	1975	0	0	Condominium	6039	JACARAN WAY	A	CARPINTE 93013	City of Car DEED	05	100.00 %
003-710-024	4950 SANDYLAND RD CARPINTERIA, CA 93013	\$850,500	09/01/2022	1	1	540	1962	1985	0	0	Condominium	4950	SANDYLA RD	224	CARPINTE 93013	City of Car DEED	05	100.00 %
001-340-037	1006 PALMETTO WAY CARPINTERIA, CA 93013		09/11/2022	3	1.5	1344	1973	1974	0	0	Condominium	1006	PALMETT WAY	D	CARPINTE 93013	City of Car DE	05	100.00 %
003-920-005	4521 CARPINTERIA AVE CARPINTERIA, CA 93013		09/15/2022	3	2	1738	1987	1990	0	0	Condominium	4521	CARPINTE AVE	A	CARPINTE 93013	City of Car DEED	05	100.00 %
004-015-069	1235 FRANCISCAN CT CARPINTERIA, CA 93013	\$895,000	09/19/2022	3	2.5	1349	1987	1987	0	0	Condominium	1235	FRANCISC CT	3	CARPINTE 93013	City of Car DEED	05	100.00 %
003-790-003	4840 SANDYLAND RD CARPINTERIA, CA 93013	\$1,650,000	09/27/2022	3	2.5	1275	1978	1990	0	0	Condominium	4840	SANDYLA RD		CARPINTE 93013	City of Car DEED	05	100.00 %
003-780-029	4422 CATLIN CIR CARPINTERIA, CA 93013		09/27/2022	2	1.5	1024	1977	1978	0	0	Condominium	4422	CATLIN CIR	C	CARPINTE 93013	City of Car DE	05	100.00 %
001-350-019	1025 PALMETTO WAY CARPINTERIA, CA 93013	\$718,000	10/05/2022	3	2	1344	1973	1976	0	0	Condominium	1025	PALMETT WAY	I	CARPINTE 93013	City of Car DEED	05	100.00 %
003-640-039	5455 EIGHTH ST CARPINTERIA, CA 93013		10/05/2022	2	2	1115	1971	1972	0	0	Condominium	5455	EIGHTH ST	95	CARPINTE 93013	City of Car DE	05	100.00 %
003-650-037	5455 EIGHTH ST CARPINTERIA, CA 93013	\$707,500	10/06/2022	2	2	1115	1971	1972	0	0	Condominium	5455	EIGHTH ST	65	CARPINTE 93013	City of Car DEED	05	100.00 %
003-890-035	4826 SAWYER AVE CARPINTERIA, CA 93013	\$1,025,000	10/07/2022	3	2	1530	1984	2010	0	0	Condominium	4826	SAWYER AVE		CARPINTE 93013	City of Car DEED	05	100.00 %
003-680-005	220 ELM AVE CARPINTERIA, CA 93013	\$775,000	10/21/2022	1	1	579	1972	1973	0	0	Condominium	220	ELM AVE	5	CARPINTE 93013	City of Car DEED	05	100.00 %
001-313-012	5936 BIRCH ST CARPINTERIA, CA 93013	\$545,000	10/31/2022	2	1	945	1972	1972	0	0	Condominium	5936	BIRCH ST	4	CARPINTE 93013	City of Car DEED	05	100.00 %
001-312-059	5915 BIRCH ST CARPINTERIA, CA 93013	\$575,000	11/02/2022	2	1	840	1972	1972	0	0	Condominium	5915	BIRCH ST	3	CARPINTE 93013	City of Car DEED	05	100.00 %
001-350-019	1025 PALMETTO WAY CARPINTERIA, CA 93013	\$760,000	11/10/2022	3	2	1344	1973	1976	0	0	Condominium	1025	PALMETT WAY	I	CARPINTE 93013	City of Car DEED	05	100.00 %
003-640-030	5455 EIGHTH ST CARPINTERIA, CA 93013	\$757,500	11/10/2022	2	2	1096	1971	1972	0	0	Condominium	5455	EIGHTH ST	74	CARPINTE 93013	City of Car DEED	05	100.00 %
003-580-032	4880 SANDYLAND RD CARPINTERIA, CA 93013	\$1,075,000	11/23/2022	2	1	780	1961	2000	0	0	Condominium	4880	SANDYLA RD	61	CARPINTE 93013	City of Car DEED	05	100.00 %
001-321-053	5981 HICKORY ST CARPINTERIA, CA 93013		11/23/2022	2	1	837	1972	1972	0	0	Condominium	5981	HICKORY ST	1	CARPINTE 93013	City of Car DE	05	100.00 %
003-920-022	4515 CARPINTERIA AVE CARPINTERIA, CA 93013	\$849,000	12/07/2022	2	1.5	1420	1987	1987	0	0	Condominium	4515	CARPINTE AVE	B	CARPINTE 93013	City of Car DEED	05	100.00 %
001-340-037	1006 PALMETTO WAY CARPINTERIA, CA 93013	\$761,000	12/09/2022	3	1.5	1344	1973	1974	0	0	Condominium	1006	PALMETT WAY	D	CARPINTE 93013	City of Car DEED	05	100.00 %
003-920-019	4515 CARPINTERIA AVE CARPINTERIA, CA 93013	\$780,000	12/09/2022	1	1.5	1420	1987	1995	0	0	Condominium	4515	CARPINTE AVE	F	CARPINTE 93013	City of Car DEED	05	100.00 %

2022 MEDIAN SALES PRICE \$775,000.00

2022 AVERAGE SALES PRICE \$789,910.71



City of Carpinteria

COUNCIL AGENDA STAFF REPORT July 24, 2023

ITEM FOR COUNCIL CONSIDERATION

Designation of Voting Delegate and Alternate for the League of California Cities Annual Conference.

STAFF RECOMMENDATION

Designate Councilmember Nomura as the City's voting delegate and designate Councilmember Solórzano as the City's alternate voting delegate for the League of California Cities 2023 Annual Conference and Expo in Sacramento.

Sample Motion: I move to designate Councilmember Nomura as the City's voting delegate and designate Councilmember Solórzano as the City's alternate voting delegate for the League of California Cities 2023 Annual Conference and Expo in Sacramento.

BACKGROUND/DISCUSSION

The League of California Cities Annual Conference and Expo is scheduled for September 20 - 22 in Sacramento. An important part of the Annual Conference is the Annual General Session, scheduled for Friday, September 22 at the Sacramento SAFE Credit Union Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the League's Annual General Session, the City Council must designate a voting delegate. In the event that the designated voting delegate is unable to serve in that capacity, the City Council may appoint up to two alternate voting delegates.

As of the writing of this report, Councilmember Nomura (the City's representative to the Channel Counties Division of the League) and Councilmember Solórzano plan to attend the Annual Conference this year. Should another Councilmember(s) wish to attend the Annual Conference, the Council may select up to two alternate voting delegates at its meeting of July 24, 2023.

For Fiscal Year 2023-2024, the City Council Meetings & Travel Budget allocation is \$2,250 per Councilmember which is currently available to spend.

ATTACHMENTS

A. League of California Cities Letter, Voting Procedures and Delegate Form

Staff contact:

Brian C. Barrett, City Clerk
(805) 755-4403; brianb@carpinteriaca.gov


Signature

Reviewed by: Dave Durflinger, City Manager
(805) 755-4400; daved@carpinteriaca.gov


Signature

ATTACHMENT A

League of California Cities Letter, Voting Procedures and Delegate Form

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LEAGUE OF
**CALIFORNIA
CITIES**

Council Action Advised by August 28, 2023

DATE: Wednesday, June 21, 2023

TO: Mayors, Council Members, City Clerks, and City Managers

RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference and Expo, Sept. 20-22, 2023,
Sacramento SAFE Credit Union Convention Center

Every year, the League of California Cities convenes a member-driven General Assembly at the Cal Cities Annual Conference and Expo. The General Assembly is an important opportunity where city officials can directly participate in the development of Cal Cities policy.

Taking place on Sept. 22, the General Assembly is comprised of voting delegates appointed by each member city; every city has one voting delegate. Your appointed voting delegate plays an important role during the General Assembly by representing your city and voting on resolutions.

To cast a vote during the General Assembly, your city must designate a voting delegate and up to two alternate voting delegates, one of whom may vote if the designated voting delegate is unable to serve in that capacity. Voting delegates may either be an elected or appointed official.

Please complete the attached voting delegate form and email it to Cal Cities office no later than Monday, August 28.

New this year, we will host a pre-conference information session for voting delegates to explain their role. Submitting your voting delegate form by the deadline will allow us time to establish voting delegate/alternate records prior to the conference and provide pre-conference communications with voting delegates.

Please view Cal Cities' [event and meeting policy](#) in advance of the conference.

Action by Council Required. Consistent with Cal Cities bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council.

Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.



LEAGUE OF
**CALIFORNIA
CITIES**

Conference Registration Required. The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. Conference registration is open on the [Cal Cities](http://calcities.org) website.

For a city to cast a vote, one voter must be present at the General Assembly and in possession of the voting delegate card and voting tool. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the voting delegate desk. This will enable them to receive the special sticker on their name badges that will admit the voting delegate into the voting area during the General Assembly.

Transferring Voting Card to Non-Designated Individuals Not Allowed. The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the General Assembly, they may *not* transfer the voting card to another city official.

Seating Protocol during General Assembly. At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.

The voting delegate desk, located in the conference registration area of the SAFE Credit Union Convention Center in Sacramento, will be open at the following times: Wednesday, Sept. 20, 8:00 a.m.- 6:00 p.m. and Thursday, Sept. 21, 7:30 a.m.- 4:00 p.m. On Friday, Sept. 22, the voting delegate desk will be open at the General Assembly, starting at 7:30 a.m., but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to Cal Cities office by Monday, Aug. 28. If you have questions, please contact Zach Seals at zseals@calcities.org.

Attachments:

- General Assembly Voting Guidelines
- Voting Delegate/Alternate Form
- Information Sheet: Cal Cities Resolutions and the General Assembly



General Assembly Voting Guidelines

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to Cal Cities policy.
2. **Designating a City Voting Representative.** Prior to the Cal Cities Annual Conference and Expo, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the voting delegate form provided to the Cal Cities Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the voting delegate desk in the conference registration area. Voting delegates and alternates must sign in at the voting delegate desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the General Assembly.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the credentials committee at the voting delegate desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in their possession the city's voting card and voting tool; and be registered with the credentials committee. The voting card may be transferred freely between the voting delegate and alternates but may not be transferred to another city official who is neither a voting delegate nor alternate.
6. **Voting Area at General Assembly.** At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.
7. **Resolving Disputes.** In case of dispute, the credentials committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the General Assembly.



LEAGUE OF
**CALIFORNIA
CITIES**

CITY: _____

2023 ANNUAL CONFERENCE VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to Cal Cities office by Monday, August 28, 2023. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

To vote at the General Assembly, voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the General Assembly. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the voting delegate desk.

1. VOTING DELEGATE

Name: _____

Email: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

Email: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

Email: _____

ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ Email: _____

Mayor or City Clerk: _____ Date: _____ Phone: _____
(circle one) (signature)

Please complete and email this form to votingdelegates@calcities.org by Monday, August 28, 2023.

How it works: Cal Cities Resolutions and the General Assembly

Developing League of California Cities policy is a dynamic process that engages a wide range of members to ensure that we are representing California cities with one voice. These policies directly guide Cal Cities advocacy to promote local decision-making, and lobby against statewide policy that erodes local control.

The resolutions process and General Assembly is one way that city officials can directly participate in the development of Cal Cities policy. If a resolution is approved at the General Assembly, it becomes official Cal Cities policy. Here's how Resolutions and the General Assembly works.

Prior to the Annual Conference and Expo

General Resolutions



Sixty days before the Annual Conference and Expo, Cal Cities members may submit policy proposals on issues of importance to cities. The resolution must have the concurrence of at least five additional member cities or individual members.

Policy Committees



The Cal Cities President assigns general resolutions to policy committees where members review, debate, and recommend positions for each policy proposal. Recommendations are forwarded to the Resolutions Committee.

During the Annual Conference and Expo

Petitioned Resolutions



The petitioned resolution is an alternate method to introduce policy proposals during the annual conference. The petition must be signed by voting delegates from 10% of member cities, and submitted to the Cal Cities President at least 24 hours before the beginning of the General Assembly.

Resolutions Committee



The Resolutions Committee considers all resolutions. General Resolutions approved¹ by either a policy committee or the Resolutions Committee are next considered by the General Assembly. General resolutions not approved, or referred for further study by both a policy committee and the Resolutions Committee do not go the General Assembly. All Petitioned Resolutions are considered by the General Assembly, unless disqualified.²

General Assembly



During the General Assembly, voting delegates debate and consider general and petitioned resolutions forwarded by the Resolutions Committee. Potential Cal Cities bylaws amendments are also considered at this meeting.

Who's who

Cal Cities policy development is a member-informed process, grounded in the voices and experiences of city officials throughout the state.

The **Resolutions Committee** includes representatives from each Cal Cities diversity caucus, regional division, municipal department, policy committee, as well as individuals appointed by the Cal Cities president.

Voting delegates are appointed by each member city; every city has one voting delegate.

The **General Assembly** is a meeting of the collective body of all voting delegates — one from every member city.

Seven **Policy Committees** meet throughout the year to review and recommend positions to take on bills and regulatory proposals. Policy committees include members from each Cal Cities diversity caucus, regional division, municipal department, as well as individuals appointed by the Cal Cities president.

What's new in 2023?



- Voting delegates will receive increased communications to prepare them for their role during the General Assembly.
- The General Assembly will take place earlier to allow more time for debate and discussion.
- Improvements to the General Assembly process will make it easier for voting delegates to discuss and debate resolutions.

¹ The Resolution Committee can amend a general resolution prior to sending it to the General Assembly.

² Petitioned Resolutions may be disqualified by the Resolutions Committee according to Cal Cities Bylaws Article VI. Sec. 5(f).



City of Carpinteria

COUNCIL AGENDA STAFF REPORT July 24, 2023

ITEM FOR COUNCIL CONSIDERATION

Annual Review of Fire Protection Mitigation Fee Program.

STAFF RECOMMENDATION

Adopt Resolution No. 6259, approving the update of the Fire Protection Mitigation Fee Schedule for Development and accepting the Carpinteria-Summerland Fire Protection District's Annual Report.

Sample Motion: I move to adopt Resolution No. 6259, as read by title only.

BACKGROUND

The State Legislature passed into law the Mitigation Fee Act (AB 1600) that established California Government Code Section 66000 et. seq. The City and County of Santa Barbara (County) subsequently adopted ordinances imposing Fire Protection Fees on any new development within the jurisdictions of the City and County, respectively. The mitigation fees are collected by the City and County for the benefit of the Carpinteria-Summerland Fire Protection District (District). The City ordinance is codified in Chapter 8.26 of the Carpinteria Municipal Code. The County ordinance is codified in Chapter 15, Article IIIA of County Code. The District's Development Impact Fee Calculation and Nexus Report and Master Facilities Plan for the Carpinteria-Summerland Fire Protection District (dated August 10, 2016) is the initial report that served as the nexus study in accordance with the Mitigation Fee Act. Each year, the City and County are required to receive and review an annual report provided by the District. The annual review includes the District's Development Impact Fee (DIF) fund description, Fee Schedule, Master Facilities Plan, and current fee ledger. Resolution No. 6150 (adopted July 25, 2022) was the City Council's last approval and acceptance of the District's Annual Report.

The purpose of this agenda matter is for the City Council adopt Resolution No. 6259, Updating the Fire Protection Mitigation Fee Schedule for Development, and accepting the Carpinteria-Summerland Fire Protection District's Annual Report.

DISCUSSION

The District Board approved the Annual Report, as shown in Attachment A, and updated the Fee Schedule at its meeting of July 5, 2023. This City staff report serves as the Annual Report for the Fire Protection Mitigation Fee Program. Should the City Council adopt Resolution No. 6259, as shown in Attachment B, it would also approve the adjustments of the fire protection mitigation fees.

Table 1 below shows the comparison of both the current Fee Schedule as adopted by the City Council on July 25, 2022 and the proposed Fee Schedule with adjustments supported by the Annual Report. The fire protection mitigation fees are adjusted on July 1 of each fiscal year by a percentage equal to the Construction Cost Index as published by Engineering News Record for the preceding twelve months in accordance with Carpinteria Municipal Code Section 8.26.040.

Table 1 Fire Protection Development Impact Fee Schedule (Current and Proposed)		
Type of Development	2022-2023 Fees (Current)	2023-2024 Fees (Proposed)
Estate Residential Dwelling	\$2,265.92 First 2,700 Sq. Ft. (2)	\$2,376.95 First 2,700 Sq. Ft. (1)
Detached Residential Dwellings	\$2,312.60 Per Unit	\$2,370.02 Per Unit
Attached Multiple Residential	\$2,004.76 Per Unit	\$2,102.99 Per Unit
ADU < 750 Sq. Ft.	\$0.00 (3)	\$0.00 (2)
ADU ≥ 750 Sq. Ft.	\$0.521 Per Sq. Ft. of primary dwelling (3)	\$0.546 Per Sq. Ft. of primary dwelling (2)
Mobile Homes	\$4,120.56 Per Unit	\$4,322.47 Per Unit
Senior Assisted Living Units	\$2,879.09 Per Unit	\$3,020.16 Per Unit
Commercial Lodging	\$1,946.72 Per Unit	\$2,042.11 Per Unit
Retail/Service/Office Uses	\$4.35 Per Sq. Ft.	\$4.56 Per Sq. Ft.
Industrial/Manufacturing Uses	\$0.536 Per Sq. Ft.	\$0.562 Per Sq. Ft.
Institutional Uses	\$0.308 Per Sq. Ft.	\$0.323 Per Sq. Ft.
Notes: (1) Plus \$0.482/Square Foot beyond 2,700 Square Feet (2) Plus \$0.521/Square Foot beyond 2,700 Square Feet (3) Fees per 2019 AB 68, AB 881 and SB 13; Government Code Section 65852.2 Source: Development Impact Fee Calculation and Nexus Report and Master Facilities Plan for the Carpinteria-Summerland Fire District. August 10, 2016		

POLICY CONSISTENCY

The recommendation is consistent with Mitigation Fee Act and Carpinteria Municipal Code Chapter 8.26.

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

PF-5b. The City will require proposed new developments to pay a fair share of the cost of needed public facilities and services...

PF-5c. The City will ensure that new development will not adversely impact services and facilities provided to existing development.

FINANCIAL CONSIDERATIONS

Collection of fire protection mitigation fees provides for a portion of the revenue necessary for the Carpinteria-Summerland Fire Protection District to fund equipment acquisitions and construct facilities as outlined in the District's Facilities Master Plan. The fees are adjusted on an annual basis (July 1st) in accordance with Carpinteria Municipal Code Section 8.26.040 by using the Construction Cost Index percentage of the preceding twelve months as listed in the Engineering News Record, which was 4.9-percent for Fiscal Year 2022-23. Table 2 below shows examples of fee payments.

Table 2			
Fire Protection Development Impact Fee Comparison			
Proposed Development	Units/Size	2022-2023 Fee (Current)	2023-2024 (Proposed Fee)
Example Residential Projects			
Residential	1 Unit	\$2,265.92	\$2,376.95
Multi-family	2 Units	\$4,531.84	\$4,753.90
Commercial	6,668 Sq. Ft.	\$29,005.80	\$30,406.08
Residential	6 Units	\$13,595.52	\$14,261.70
Multi-family	23 Units	\$46,109.48	\$48,368.77

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

Notice of Public Hearing appeared in The Coastal View News on July 13 and 20, 2023.

On February 10, 2004, the City of Carpinteria and the Carpinteria-Summerland Fire Protection District executed an indemnification and hold harmless agreement. The purpose of the agreement was for the District to indemnify and hold harmless the City and City agents, officers, and employees from claims related to the imposition, administration, and collection of the District's fire protection mitigation fees. This agreement continues to be in effect.

OPTIONS

1. Approve and adopt Resolution No. 6259, updating the Fire Protection Mitigation Fee Schedule for Development, and approving and accepting the Carpinteria-Summerland Fire Protection District's Annual Report. (Staff recommendation)
2. Direct staff to amend Resolution No. 6259, as determined appropriate, and adopt the resolution as amended.
3. Decline to adopt Resolution No. 6259 which retains the current Fire Protection Mitigation Fee Schedule. However, the current fees would not be commensurate with the increased service demands of the Carpinteria-Summerland Fire Protection District caused by any future development.

PRINCIPAL PARTIES EXPECTED AT MEETING

Carpinteria-Summerland Fire Protection District

ATTACHMENTS

Attachment A: Carpinteria-Summerland Fire Protection District Annual Report
Attachment B: Resolution No. 6259

Staff contact:

John L. Ilasin, Public Works Director
(805) 880-3402; johnd@carpinteriaca.gov

Reviewed by:

Dave Durlinger, City Manager
(805) 755-4400; daved@carpinteriaca.gov


Signature


Signature

ATTACHMENT A

Carpinteria-Summerland Fire Protection District Annual Report

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CARPINTERIA-SUMMERLAND

FIRE PROTECTION DISTRICT

STAFF REPORT

To: Carpinteria-Summerland Fire Protection District Board of Directors
From: Greg Fish, Fire Chief
By: Michael LoMonaco, Fire Marshal
Date: June 29, 2023
Topic: Annual Review of Fire Protection Mitigation Fees

Summary

AB 1600, passed into law in 1989, allows for government agencies to impose Development Impact Fees (DIF). The law was codified in Government Code section 66000 et seq., also referred to as the Mitigation Fee Act. Development Impact Fees or Mitigation Fees are intended to assist local fire agencies in delivering the increasing service demand caused by additional development. In 2003, the City of Carpinteria and the County of Santa Barbara adopted ordinances imposing fire protection mitigation fees on any new development within the Carpinteria-Summerland Fire Protection District. The City's ordinance is codified in Chapter 8.26 of the Carpinteria Municipal Code. The County ordinance is codified in Chapter 15, Article IIIA, of the County Code.

AB 1600 requires that projects to be financed with DIF must be identified in a Master Facilities Plan. Periodic review and adjustment to the DIF ensures that the district collects sufficient funds to construct and purchase additional facilities and equipment to serve new residential and commercial development.

Discussion

Government Code Section 66002 requires that an annual report be prepared that reviews the District's Master Facilities Plan and the estimated costs for constructing public facilities. The estimated costs for construction are adjusted each year by the Engineering News Record Construction Cost Index, which was 4.9 % for FY 2022-2023. In accordance with Carpinteria Municipal Code 8.26.040 and Santa Barbara County Code 15-67 the fees are automatically adjusted.

During FY 2022-2023, fund revenue was \$89,404.22 due to various new estate and ocean front developments; interest generated was \$5,989.47. Total expenditures during this period were \$354,588.35. The ending fund balance was \$210,272.12.

Conclusion

Approve the 2023 Annual Review of the Fire Protection Mitigation Fees and direct the Fire Chief to forward the report to Santa Barbara County and Carpinteria City as required by County Code Section 15-67 (a) and Municipal Code Section 8.26.040.

Financial Impact

The proposed fees account for a 4.9% increase of 2023 amounts.

Attachments

Exhibit A – Development Impact Fees
Exhibit B – CSFPD Fund 3633 Balance

EXHIBIT A**DEVELOPMENT IMPACT FEES****Current Fees**

2022-2023 Fire Protection Development Impact Fee Schedule	
Type of Development	
Estate Residential Dwelling	\$2,265.92 First 2,700 Sq. Ft. (1)
Detached Residential Dwellings	\$2,312.60 Per Unit
Attached Multiple Residential	\$2,004.76 Per Unit
ADU < 750 Sq. Ft.	\$0.00 (2)
ADU ≥ 750 Sq. Ft.	\$0.521 Per Sq. Ft. (2)
Mobile Homes	\$4,120.56 Per Unit
Senior Assisted Living Units	\$2,879.09 Per Unit
Commercial Lodging	\$1,946.72 Per Unit
Retail/Service/Office Uses	\$4.35 Per Sq. Ft.
Industrial/Manufacturing Uses	\$0.536 Per Sq. Ft.
Institutional Uses	\$0.308 Per Sq. Ft.
Notes: (1) Plus \$0.521/Sq. Ft. Beyond 2,700 Sq. Ft.	
(2) Fees per 2019 AB 68, AB 881 and SB 13; Government Code Section 65852.2	
Source: Carpinteria-Summerland Fire Protection District-Development Impact Fees Nexus Calculation Report and Revised Master Facilities Plan, February 2016	
Engineering News Record Construction Cost Index 2021-2022 8.0 %	

Fee schedule effective July 1, 2023

2023-2024 Fire Protection Development Impact Fee Schedule	
Type of Development	
Estate Residential Dwelling	\$2,376.95 First 2,700 Sq. Ft. (1)
Detached Residential Dwellings	\$2,370.02 Per Unit
Attached Multiple Residential	\$2,102.99 Per Unit
ADU < 750 Sq. Ft.	\$0.00 (2)
ADU ≥ 750 Sq. Ft.	\$0.546 Per Sq. Ft. (2)
Mobile Homes	\$4,322.47 Per Unit
Senior Assisted Living Units	\$3,020.16 Per Unit
Commercial Lodging	\$2,042.11 Per Unit
Retail/Service/Office Uses	\$4.56 Per Sq. Ft.
Industrial/Manufacturing Uses	\$0.562 Per Sq. Ft.
Institutional Uses	\$0.323 Per Sq. Ft.
Notes: (1) Plus \$0.546/Sq. Ft. Beyond 2,700 Sq. Ft.	
(2) Fees per 2019 AB 68, AB 881 and SB 13; Government Code Section 65852.2	
Source: Carpinteria-Summerland Fire Protection District-Development Impact Fees Nexus Calculation Report and Revised Master Facilities Plan, February 2016	
Engineering News Record Construction Cost Index 2022-2023 4.9%	

EXHIBIT B**Carpinteria Summerland FPD Fund 3633****Fire Protection District Development Impact Fees – Ledger FY 2021-/2022***

	Ledger @				Ledger@
	July 1, 2021	Credits	Interest	Debits	June 30, 2022
Fund 3633 Fire Protection Capital Improvements	\$469,466.71	\$73,006.15	\$3,287.35	\$44,707.13	\$501,053.08

* Final Audited Numbers 7/18/2022

Fire Protection District Development Impact Fees – Ledger FY 2022-/2023**

	Ledger @				Ledger@
	July 1,2022	Credits	Interest	Debits	June 30, 2023
Line Item 5305 Fund 3633 Fire Protection Capital Improvements	\$469,466.71	\$89,404.29	\$5,989.47	\$ 354,588.35	\$210,272.12

** Totals are unaudited and require review before the final report is complete.

ATTACHMENT B

Resolution No. 6259

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RESOLUTION NO. 6259

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CARPINTERIA UPDATING THE FIRE PROTECTION
MITIGATION FEE SCHEDULE FOR DEVELOPMENT AND
APPROVING AND ACCEPTING THE CARPINTERIA-
SUMMERLAND FIRE PROTECTION DISTRICT'S ANNUAL
REPORT**

WHEREAS, on March 22, 2004, the City Council of the City of Carpinteria, California ("City") adopted Ordinance 599, creating and establishing the authority for imposing and charging a fire protection mitigation fee, as codified in Carpinteria Municipal Code Chapter 8.26, and Resolution No. 4857 which established the level of Fire Protection Mitigation Fees; and

WHEREAS, the Carpinteria-Summerland Fire Protection District (District) prepared an analysis of the need for new facilities and improvements required, in the form of a revised 2008 Master Facilities Plan, which set forth the relationship between new development, the needed facilities, and their cost estimates; and

WHEREAS, on September 12, 2016, the City Council received and considered a Report by Revenue and Cost Specialists, LLC, dated August 10, 2016, which analyzes the impacts of future development on the District's fire protection facilities and improvements; and

WHEREAS, by Resolution No. 6150, adopted July 25, 2022, the City Council last approved the District's Annual Report and adjusted Fire Protection Mitigation Fee Schedule for Development; and

WHEREAS, Carpinteria Municipal Code Section 8.26.050 allows the Fire Protection Mitigation Fee to be set and revised periodically by resolution of the City Council; and

WHEREAS, the updated Report and all documents filed with the City Clerk were available for public review on July 7, 2023 and a notice of hearing was published on July 13, 2023 and July 20, 2023 in a newspaper of general circulation within the jurisdiction of the City.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1.

The City Council finds that new development in the City will generate additional demands on fire protection facilities serving the City and will contribute to the impact upon such facilities.

SECTION 2.

The City Council finds the cost estimates set forth in the District's Master Facilities Plan are reasonable cost estimates for the public facilities contained in said Plan and determines that there is a continued need for these improvements and that the improvements are consistent with objectives and policies described in the City's General/Local Coastal Land Use Plan and Environmental Impact Report, Fire Hazard, Objective S-5.

SECTION 3.

The City Council finds that the fees expected to be generated by new development will not exceed the costs for construction of fire protection facilities and improvements set forth in the Master Facilities Plan.

SECTION 4.

The City Council finds as follows:

- a. The purpose of the fees is to finance the acquisition and construction of certain fire protection capital improvements, including structures, fire apparatus, and fire equipment.
- b. The use to which the fees are to be put is to finance the acquisition and construction of certain fire protection capital improvements, including structures, fire apparatus, and fire equipment.
- c. The City Council finds that there is a reasonable relationship between the need for the public facilities for which fees are collected and the type of development project on which the fee is imposed, as more particularly described in Exhibits 1, 2, 3, and 4.
- d. The City Council finds that there is a reasonable relationship between the use of the fees and the type of development project on which the fee is imposed, as more particularly described in Exhibit's 1, 2, 3, and 4.

SECTION 5.

The City Council approves the District's adopted Master Facilities Plan as shown in Exhibit 3.

SECTION 6.

The City Council approves the District's Fire Protection Development Impact Fee Schedule as shown in Exhibit 2.

SECTION 7.

As to funds on deposit in the Fire Mitigation Fees Fund, the City Council finds as follows:

- a. The purpose of the Fire Mitigation Fees is to finance necessary District infrastructure, fire apparatus and equipment as detailed further in Exhibit 3.
- b. A reasonable relationship between the Mitigation Fee and its purpose exists, in that the District nexus calculation report demonstrates that the fee assessed to new development is in proportion to such development's impacts on necessary District infrastructure.
- c. The sources and amounts of funding anticipated to complete financing for the Master Facilities identified in the District's Master Facilities Plan are identified as shown in Exhibit 3.
- d. All projects on the District's Master Facilities Plan are expected to be completed with development fees, when sufficient funds are collected within the 20-year span of the plan, as shown on Exhibit 3.

PASSED, APPROVED AND ADOPTED on July 24, 2023, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

Mayor, City of Carpinteria

ATTEST:

Brian C. Barrett, CMC, CPMC
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 July 24, 2023.

Brian C. Barrett, CMC, CPMC
City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria

EXHIBIT 1 TO RESOLUTION NO. 6259

FUND DESCRIPTION

Master Facilities Plan: Fees collected for the actual and estimated costs to acquire certain fire protection capital improvements, including structures, fire apparatus and fire equipment.

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EXHIBIT 2 TO RESOLUTION NO. 6259

FEE SCHEDULE

Fiscal Year 2023-24 Adopted Fire Protection Development Impact Fee Schedule	
Type of Development	Fee
Estate Residential Dwelling	\$2,376.95 First 2,700 Sq. Ft. (1)
Detached Residential Dwellings	\$2,370.02 Per Unit
Attached Multiple Residential	\$2,102.99 Per Unit
ADU < 750 Sq. Ft.	\$0.00 (2)
ADU ≥ 750 Sq. Ft.	\$0.546 Per Sq. Ft. of primary dwelling (2)
Mobile Homes	\$4,322.47 Per Unit
Senior Assisted Living Units	\$3,020.16 Per Unit
Commercial Lodging	\$2,042.11 Per Unit
Retail/Service/Office Uses	\$4.56 Per Sq. Ft.
Industrial/Manufacturing Uses	\$0.562 Per Sq. Ft.
Institutional Uses	\$0.323 Per Sq. Ft.
Notes: (1) Plus \$0.521/Square Foot beyond 2,700 Square Feet	
(2) Fees per 2019 AB 68, AB 881 and SB 13; Government Code Section 65852.2	
Source: Development Impact Fee Calculation and Nexus Report And Master Facilities Plan For the Carpinteria-Summerland Fire District, August 10, 2016.	
Engineering News Record Construction Cost Index 2022-2023 4.9%	

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EXHIBIT 3 TO RESOLUTION NO. 6259

Carpinteria-Summerland Fire Protection District Master Suppression Facilities Plan Fire Suppression Facilities, Vehicles and Equipment		2022-23	% from Fee	Total Dollar Cost from Fee	\$ from other Resources	Project Build- Out (+2.7%)
FD-01	Relocate Northerly Station #2		25	\$1,180,251	\$3,540,754	\$4,721,005
FD-02	Expand Southerly Station #1		100	\$1,845,676		\$1,845,676
FD-03	Relocate the Administration Office		25	\$1,325,854	\$3,977,563	\$5,303,417
FD-04	Construct an Emergency Operations Center (EOC)		25	\$273,912	\$821,738	\$1,095,650
FD-05	Construct Training Tower/Drafting Pit		25	\$422,861	\$1,268,583	\$1,691,444
FD-06	Acquire a Type 1 Engine w/Aerial Attack Capability (Telesquirt)		75	\$581,165	\$193,722	\$774,887
FD-07	Acquire a Type III Fire Engine	\$354,588.35	100	\$354,176		\$354,176
FD-08	Acquire a Multi-Use Incident Support Vehicle		25	\$64,574	\$193,722	\$258,296
FD-09	Improve the Wildland Patrol/Brush Insp. Vehicle		25	\$5,740	\$17,219	\$22,959

TOTALS

\$16,067,510

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**EXHIBIT 4 TO RESOLUTION NO. 6259
FEE ACCOUNTING**

Carpinteria-Summerland FPD Fund 3633

Fire Protection District Development Impact Fees – Ledger FY 2022-/2023**

	Ledger @				Ledger@
	July 1, 2022	Credits	Interest	Debits	June 30, 2023
Line Item 5305 Fund 3633 Fire Protection Capital Improvements	\$469,466.71	\$89,404.29	\$5,989.47	\$354,588.35	\$210,272.12

** Totals are unaudited and require review before the final report is complete.

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City of Carpinteria

COUNCIL AGENDA STAFF REPORT July 24, 2023

ITEM FOR COUNCIL CONSIDERATION

Adopt Resolution Nos. 6263 and 6264, amending the Conditions of Employment for both Miscellaneous Unrepresented Personnel and Management Personnel.

STAFF RECOMMENDATION

1. Adopt Resolution No. 6263, amending the Conditions of Employment between the City of Carpinteria and Miscellaneous Unrepresented Personnel for the period of July 1, 2023 – June 30, 2024, and authorize the City Manager to implement the changes effective July 1, 2023.
2. Adopt Resolution No. 6264, amending the Conditions of Employment for the period of July 1, 2023 – June 30, 2024, between the City of Carpinteria and Management Personnel, and authorize the City Manager to implement the changes effective July 1, 2023.

Sample Motion: I move to adopt Resolution Nos. 6263 and 6264, as read by title only.

BACKGROUND

On April 10, 2023, the City Council adopted Resolutions No. 6224 and 6225, approving the Conditions of Employment (COE) for Miscellaneous Unrepresented and Management Personnel respectively. The approved COEs included changes to core benefits to be consistent with the Memorandum of Understanding with SEIU.

Staff informed City Council of their intent to bring back additional amendments to the COE for both Miscellaneous Unrepresented Personnel and Management Personnel at a later date for consideration of their respective COE for Fiscal Year 2023/2024.

On June 23, 2023, the City Council adopted Resolution No. 6253, approving the Classification and Compensation Schedule for Management and Miscellaneous Unrepresented Personnel. Per the COEs, employees are eligible for a wage adjustment pursuant to the results on an annual performance-based employee evaluation. Staff conducted an assessment of the current evaluation process and is recommending the proposed changes as shown in Attachments B and D.

DISCUSSION

Attached to Resolution 6263 is the proposed final COE for the Miscellaneous Unrepresented Personnel (Attachment A) and the “red line” version of the current COE highlighting the proposed changes (Attachment B). Attached to Resolution 6264 is the proposed final COE for the Management Personnel (Attachment C) and the “red line” version of the current COE highlighting the proposed changes (Attachment D). The recommended changes are the following:

- Section 1 Classification (Miscellaneous Unrepresented and Management Personnel): Modification of language and removal of Position and Grade table as this information is included in the Classification and Compensation Schedule for Miscellaneous and Management Personnel adopted June 26, 2023 by Resolution No. 6253.

Prior to adoption of Resolution No. 6253 cited above, miscellaneous and management position titles and their associated salary ranges and grades existed solely within the City’s COEs. This required an amendment to the COEs whenever a position title or salary change was made. With adoption of Resolution No. 6253, the Classification and Compensation Schedule for Miscellaneous and Management Personnel was set by City Council resolution, improving transparency of the process by focusing exclusively on the classification and compensation schedule rather than as one component of a larger document. Thus, staff’s recommendation to remove these additional references to specific position grades and ranges.

- Section 3.3 A Base Wage Adjustment (Miscellaneous Unrepresented and Management Personnel): Modification of language to allow the City Manager or their designee to determine the format of the City’s evaluation process.

Design and implementation of the City’s evaluation process is the responsibility of the City Manager or their designee. As such, specifics related to the description of evaluation scores (e.g., High Performer, Contributor, Unacceptable) are suggested for removal to allow for modifications to the evaluation process without need for an amendment to the COEs.

- Section 3.3 B Base Wage Adjustment (Miscellaneous Unrepresented and Management Personnel): Modification of language to establish a process for the proration of merit increases for newly hired employees and promoted employees when transitioning from an initial 12-month evaluation to the City’s regular July 1 evaluation schedule.

The City’s practice is to provide an evaluation on the one-year anniversary of date-of-hire or promotion and on July 1st of each year thereafter. The proposed proration table will provide Human Resources staff direction on how to transition employees to the July 1st schedule. In addition, it provides information to

miscellaneous and management personnel regarding their potential merit increase when this transition occurs.

- Section 3.3 C Base Wage Adjustment (Miscellaneous Unrepresented and Management Personnel): Revision of the Merit Increase Matrix.

The revised Merit Increase Matrix reflects recent adjustments to the City's salaries and benefits following implementation of the 2021 Total Compensation Study recommendations. The proposed adjusted merit increase levels, while reduced from previous levels, still employ a "lead the market" strategy for staff recruitment and retention, while also providing greater budget stability.

The purpose of this agenda matter is to allow the City Council to consider approval of the proposed changes to the COE for both Miscellaneous Unrepresented Personnel and Management Personnel.

POLICY CONSISTENCY

The proposed Conditions of Employment for both the Miscellaneous Unrepresented Personnel and Management Personnel are consistent with the City's interest in offering competitive compensation as part of the Staff Recruitment, Retention and Development Program.

FINANCIAL CONSIDERATIONS

Sufficient funding for the proposed changes was included in the Fiscal Year 2023/2024 budget.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

There are no legal or risk management concerns.

OPTIONS

- A. Adopt Resolution Nos. 6263 and 6264.
- B. Direct staff to modify the Conditions of Employment for Miscellaneous Unrepresented Personnel and/or Management Personnel, in which case the matter may need to be continued at a future Council meeting.
- C. The City Council could choose not to approve the Conditions of Employment for Miscellaneous Unrepresented Personnel and/or Management Personnel and direct staff as appropriate.

PRINCIPAL PARTIES EXPECTED AT MEETING

There are no principal parties expected at the meeting.

ATTACHMENTS

- A. Resolution No.6263 with attached COE for Miscellaneous Unrepresented Personnel.
- B. Red line COE for Miscellaneous Unrepresented Personnel (Pages 1-6).
- C. Resolution No.6264 with attached COE for Management Personnel.
- D. Red line COE for Management Personnel (Pages 1-7).

Staff contact:

Teresa Ilasin

(805) 755-4458; teresai@carpinteriaca.gov



Signature

Reviewed by:

Michael Ramirez, Assistant City Manager

(805) 755-4450; michaelr@carpinteriaca.gov



Signature

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ATTACHMENT A

Resolution No. 6263

RESOLUTION NO. 6263

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CARPINTERIA APPROVING AND ADOPTING REVISIONS TO THE
CONDITIONS OF EMPLOYMENT FOR MISCELLANEOUS AND
UNREPRESENTED PERSONNEL**

WHEREAS, the City of Carpinteria City Council recognizes that the Conditions of Employment for Miscellaneous Unrepresented full-time personnel should be addressed separately from classified employees covered under the Memorandum of Understanding (MOU) between the City of Carpinteria and the Service Employees International Union (SEIU) Local 620; and

WHEREAS, the Carpinteria City Council wishes to update the Conditions of Employment for Miscellaneous Unrepresented Personnel adopted on April 10, 2023, to incorporate language changes in Sections 1, 3.3A, 3.3B, and 3.3C, including a process for the proration of merit increases for newly hired employees and promoted employees and a revision of the Merit Increase Matrix; and

WHEREAS, it is the desire of the City Council to amend the Conditions of Employment for Miscellaneous Unrepresented Personnel, effective July 1, 2023.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The above recitals are true and correct, and incorporated herein by reference.

SECTION 2. The amended Conditions of Employment for Miscellaneous Unrepresented Personnel, attached hereto as Exhibit 1, effective July 1, 2023, is hereby approved and implementation by the City Manager is authorized.

SECTION 2. The said Conditions of Employment shall remain effective through June 30, 2023.

PASSED, APPROVED AND ADOPTED on the 24th day of July, 2023, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

Mayor, City of Carpinteria

ATTEST:

Brian C. Barrett, CMC, CPMC
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 July 24, 2023.

Brian C. Barrett, CMC, CPMC
City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria

**CITY OF CARPINTERIA
CONDITIONS OF EMPLOYMENT
FOR MISCELLENOUS UNREPRESENTED PERSONNEL**

EFFECTIVE JULY 1, 2023

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SECTION 1 CLASSIFICATION

Miscellaneous Unrepresented Personnel for the purpose of these Conditions of Employment (COE) will include full-time positions not classified as management personnel nor represented by SEIU Local 620.

Titles and salary bands for all classifications of employment designated as Miscellaneous Unrepresented Personnel are set forth by resolution approved by the City Council.

1.1 EMPLOYER/EMPLOYEE RELATIONSHIP:

Employees in this category are full-time employees. None of the positions are exempt from overtime requirements of the Federal Fair Labor Standards Act and, as with other non-exempt employees, all overtime must be authorized in advance (unless in emergency) by the affected employee's department head.

1.2 PERSONNEL RULES:

"Regular," "full-time" and "part-time" employees are defined in the Personnel Rules, and those definitions are adopted for use in these Conditions of Employment as well. The City intends to continue to review and develop revised personnel rules, regulations, and grievance procedures, employee handbook, job classifications and job descriptions.

SECTION 2 WORK SCHEDULE

2.1 REPORTING:

Miscellaneous unrepresented employees are classified as hourly and non-exempt employees. All miscellaneous employees for the City of Carpinteria are required to accurately report hours worked on daily time sheets.

2.2 FLEXTIME SCHEDULING:

Employees may have the option to participate in an alternate 9/80 work schedule based on a flexible 9 day/80 hour pay period (eight 9-hour days and one 8-hour day). Each employee electing to participate in flextime scheduling must select a Monday or Friday as their designated flex day off, the alternate Monday or Friday will be their 8-hour day. The daily work schedule for the nine hour days will begin at 7:30 a.m. and end at 5:30 p.m. with a one hour lunch; the daily work schedule for the eight hour day will begin at 8:00 a.m. and end at 5:00 p.m., with a one hour lunch.

Individuals may request flexible work schedules which meet their personal needs, however, the flex day selected is subject to the operational needs and requirements of the department as determined by the City Manager. Human Resources and Payroll must be advised, in writing, of the selected day and any change from the established flex day, must be requested in advance and approved by the Department Head and the City Manager.

The program will be evaluated on an on-going basis regarding personal performance standards, as well as monitoring staffing needs to ensure that the public is being appropriately served. Continuation of such schedules shall be subject to review and approval of the City Manager.

The City Manager reserves the right to remove any (or all) employees from flexible work schedules. To the extent possible, two weeks advance written notice will be provided to the employee. An employee shall not be removed from a flexible work schedule for arbitrary or capricious reasons.

SECTION 3 COMPENSATION AND BENEFITS

3.1 PAY STATUS:

An affected employee is considered to be in pay status and eligible for benefits under any of the following circumstances:

- (1) While working regular hours
- (2) While on authorized PTO Leave Bank hours
- (3) While on authorized Injured on Duty (10D) status
- (4) While on authorized jury duty
- (5) While on Compensatory time off

The City Manager may authorize coverage of benefits on an individual basis for employees on authorized leave without pay for a period of up to four (4) months when it is deemed appropriate or is otherwise required by law.

3.2 METHOD OF PAYMENT:

Employees shall be paid on a bi-weekly basis and pay checks will be available on the Thursday afternoon following the close of the regular pay period unless holidays or circumstances beyond the control of the City occur in which case all necessary action will be taken to insure that individual pay checks are available with a minimum of delay.

Employees are encouraged to take advantage of direct deposit of payroll checks. Upon request, payroll checks may be directly deposited to an employee's checking or savings account.

3.3 BASE WAGE ADJUSTMENT:

- A. Effective the first full pay period after July 1, Miscellaneous Unrepresented Personnel, may be eligible to have their base wages adjusted pursuant to the results of an annual performance-based employee evaluation. The evaluation format shall be determined by the City Manager or their designee
- B. Newly hired employees and promoted employees will have a 12-month performance-based evaluation on their one-year anniversary from date of hire or promotion and may receive a base wage adjustment pursuant to the results of the evaluation and within the position salary range of the classification. Thereafter, an employee shall be moved to a July 1 annual Performance

Evaluation period, including pro-ration of any salary adjustment if appropriate, per the following table:

EMPLOYMENT OR PROMOTION DATE*	1 st YEAR PRO-RATION OF ELIGIBLE INCREASE
July	100.00%
August	91.67%
September	88.33%
October	75.00%
November	66.67%
December	50.00%
January	58.33%
February	41.67%
March	33.33%
April	25.00%
May	16.67%
June	8.33%

*If employment or promotion date is on or after the 15th of the month, the following month's proration amount shall be applied.

- C. The result of the Performance Rating shall be used by the City Manager to determine the appropriate increase to the base wage as illustrated in the Merit Increase Matrix.

MERIT INCREASE MATRIX

Rating	Salary Relative to Position Control Point		
	84.2105% to 94.7368%	94.7369% to 105.2632%	105.2633% to 115.7895%
4.6 and Above	8.0000%	7.0000%	6.0000%
4.4	7.5000%	6.5000%	5.5000%
4.2	7.0000%	6.0000%	5.0000%
4.0	6.5000%	5.5000%	4.5000%
3.8	6.0000%	5.0000%	4.0000%
3.6	5.5000%	4.5000%	3.5000%
3.4	5.0000%	4.0000%	3.0000%
3.2	4.5000%	3.5000%	2.5000%
3.0	4.0000%	3.0000%	2.0000%
Less than 3.0	0.0000%	0.0000%	0.0000%

D. All wage increases are subject to availability of funds as authorized by City Council.

3.4 DEFERRED COMPENSATION PROGRAM:

A deferred compensation plan will be available to miscellaneous unrepresented employees with participation on a voluntary basis.

3.5 STATE DISABILITY INSURANCE:

The City participates in the State Disability Insurance Program, at employee expense, to provide coverage for non-industrial injuries.

3.6 SHORT-TERM/LONG TERM DISABILITY PROGRAM:

In addition to coverage under the State Disability Insurance Program, the City provides eligible full-time employees with additional short-term disability coverage to integrate with SDI for a weekly benefit of 60% of covered earnings and a long-term disability program to provide a monthly benefit of 66 2/3% of covered earnings, such coverage to be at City expense. This program will be at the expense of the City.

3.7 FICA MEDICARE TAX:

All employees hired after April 1986 are subject to FICA Medicare taxes in accordance with Federal regulations. Miscellaneous Unrepresented employees shall have the employee share of said Medicare Tax deducted from their paycheck.

3.8 OUTSTANDING OBLIGATIONS UPON TERMINATION:

If any affected employee has any outstanding obligations due to the City, such as advance use of any benefits or lost or damaged equipment, at the time of termination, the employee will be so notified and requested to reimburse the City for any such amounts advanced to the extent allowed by law.

3.9 CAL PERS RETIREMENT:

The City provides retirement benefits through the California Public Retirement System pursuant to Section 7.

3.10 HEALTH, DENTAL AND WELLNESS PROGRAM:

The City provides health, dental and wellness benefits pursuant to Section 8.

3.11 REPORTING HOURS WORKED:

- A. Individual employees are responsible for accurately reporting time worked. All hours worked shall be reported by clocking in and out on the computer at their work station. Actual time worked will be recorded on a daily basis and tabulation of time

at the end of the work period will be computed to the exact hour and fractional minutes. Such time shall be verified by the employees' supervisor. Employees are prohibited from working "off the clock," and are required to accurately record all hours worked.

- B. The City acknowledges that from time to time a computer clock may gain or lose time, causing the clock to be off by minutes. The City agrees to take this into consideration whenever it appears that the computer clock has caused an employee to clock in late. If an employee becomes aware of such a problem with his/her computer, it should be reported immediately to their supervisor.
- C. If access to a computer is not available, all hours worked by employees shall be reported on time sheets provided and shall be stated in straight time hours. The individual employee is responsible for accurately reporting all hours worked. Hours worked shall be reported in not less than quarter (1/4 or .25) hour increments of time actually worked. Time worked 7 1/2 minutes or less will not be reported and time worked in excess of 7 1/2 minutes will be reported as a quarter (.25) hour. Such time shall be verified by the employees' supervisor.

3.12 BREAKS:

Each affected employee shall be entitled to a sixty (60) minute unpaid lunch period and two breaks per eight-hour working day. The morning break and the afternoon break are fifteen (15) minutes. Breaks shall not be taken earlier than one hour after starting work in the morning or lunch, or later than one hour before lunch or the end of the working day.

Breaks do not accumulate and will be scheduled by the employee's supervisor.

3.13 OVERTIME RECORDS:

Employees shall accurately report all overtime in hours actually worked on their biweekly timesheet. The Finance Office shall convert all reported overtime hours worked to time and one-half, identify reported overtime hours worked as regular overtime hours and/or premium overtime hours and record such converted hours to the credit of the affected employee. All overtime must be authorized in advance (unless in emergency) by the affected employee's department head.

3.14 OVERTIME COMPENSATION:

The affected employee shall be compensated for overtime hours as follows:

1. Timesheets determine actual hours worked by calculating the elapsed time between clock in times and clock out times in quarter hour increments. See Section 3.9 (Reporting Hours Worked).
2. PTO, holiday, compensatory time off and other time not actually worked are not counted as hours worked for overtime purposes.

3. Hours worked in excess of the employee's regularly scheduled hours in any one work day (12 midnight to 12 midnight) or in excess of the employee's total regularly scheduled hours in any work week (Saturday through Friday) are recorded as overtime hours worked. Hours worked that are in excess of both the employee's regularly scheduled hours in the work day and the work week are not considered as separate incidents of overtime worked.
4. Hours worked on a day that has no scheduled hours (usually weekend days or holidays) are recorded as overtime hours worked with a two-hour minimum.
5. At the end of each two week pay period, total overtime hours worked are accumulated. Hours worked in excess of the employee's total regularly scheduled hours in any work week are categorized as overtime hours.
6. Overtime hours are multiplied by 1.5 the regular rate of pay and the resulting hours are added to the employee's overtime bank.
7. Hours in an overtime bank in excess of 100 at the end of a payroll cycle will be paid in the subsequent payroll at the employee's regular base pay hourly rate then in effect and the paid hours deducted from the overtime bank.
8. At the employee's choice, overtime hours recorded on an employee's timesheet may be either (a) paid or (b) accrued to the employee's overtime bank to be used as compensatory time off or paid at a later time as provided in this section. Employees must specify in writing on their timesheet which one of these two options is chosen. If the employee does not specify how the overtime hours should be treated, the default option is to be paid for the hours.
9. If an employee elects and is approved to use some or all of the employee's accrued overtime bank as compensatory time off, the amount taken as compensatory time off shall be deducted from the employee's overtime bank on an hour-for-hour basis.
10. No overtime shall be worked without department head approval in advance in writing. However, such approval shall be given in any case in which the affected employee worked such overtime at the direction of a supervisor. No overtime shall be authorized or worked for the convenience of the employee (i.e. voluntary shift trading, etc.).
11. Management shall assign overtime work as equitably as possible among all qualified employees in the same classification in the same organizational unit and work location.
12. During the month of December, an employee may elect to convert accumulated overtime hours accrued in their overtime bank and receive either a cash buy-out of a portion or all of such accumulated accrued time in their overtime bank or contribute the value of the cash buy-out to their existing 457 plan up to the legally allowed maximum and with proper notice. An employee must make an irrevocable election (i.e., pre-designation) in December, specifying the total number of hours to be cashed-out. During the calendar year following the pre-designation, an employee may choose increments of pre-designated overtime hours to cash-out in April, July

and December. If no cash-out occurs during the year and/or any balance of the pre-designated amount remains, said amount will be cashed out in December. If the employee does not have the accumulated overtime hours available to satisfy the amount pre-designated for cash-out, the employee will be precluded from making an irrevocable election and cashing out for the following calendar year. Such payments will be paid at the employee's regular rate of pay.

13. When employment with the City terminates the City shall make a cash payment for the employee's accumulated unused overtime bank time on the books at the employee's regular base pay hourly rate then in effect.

3.15 HOLIDAY PAY:

- A. Unless otherwise provided herein, a regular full-time employee not working on a holiday will receive one day's pay at his or her normal straight time rate, exclusive of shift or temporary or relief supervisory differentials. Said holiday pay shall not be paid if the employee is not in a pay status the last normal working day before a holiday or the first normal working day after such holiday. See Section 3.1 for definition of pay status.
- B. An employee who is scheduled to work on a holiday but fails to report for work and fails to notify the City or provide evidence of an emergency is unexcused and will not receive payment for the holiday.
- C. If a holiday falls on a normal workday which is during an approved leave, at the employee's option the employee will not be charged for a leave day the day of the holiday, or may be given an additional day at the beginning or end of his/her leave. Holidays which fall on normal working days within an unpaid leave of absence, will not be counted as workdays and will not be recognized for pay purposes.
- D. Employees who are required to work on holidays will receive, in addition to the holiday pay provided for in this section, a minimum three (3) hours straight time pay for hours worked and time and one-half for hours worked beyond 8 hours or a normal shift, whichever is appropriate.

3.16 CALLBACKPAY:

- A. Any affected employee called out to work after his/her normal working hours shall receive a minimum of two (2) hours cash compensation at the rate paid for overtime work. In such cases all work in excess of the two (2) hour minimum shall be compensated at the applicable overtime rate. The overtime rate shall be based on the employee's base hourly rate. Call-back shall be defined as being called out to work outside one's normal working hours by the Sheriffs Department, City Manager, or Department Head on an unscheduled basis. / An employee should not respond to a call-back if any alcoholic beverage has been consumed or a medication taken that might impair his/her ability to perform the duties required.
- B. All affected employees who are required and/or authorized to attend an authorized meeting which starts after the established work day shall be credited for a minimum of

two (2) hours overtime. For all time in excess of two (2) hours, normal overtime policies shall be in effect.

- C. In the event a call-out exceeds two (2) hours in actual time for an employee, the time reported for payroll purposes only shall begin with ten (10) minutes prior to the employee reporting for work and end ten (10) minutes after the time the employee leaves work to return home.
- D. Employees in off-duty status will not be required to respond to call-back. The exception being when a state of emergency has been declared by the City Manager.

3.17 MOVE-UP PAY OR TEMPORARY ASSIGNMENT:

When in the best interests of the City, the City Manager may approve a Move Up or Temporary Assignment of a probationary or regular employee to a higher level classification than that for which he/she is currently assigned and being compensated, in accordance with the following:

- 1) Eligibility Requirements
 - a) The City Manager has the sole discretion to determine if a Move Up or Temporary Assignment is needed and has the sole authority to deny or approve assignment, without any right to grievance or appeal.
 - b) The employee appointed to work in a Move Up or Temporary Assessment must be capable of handling the major duties of the higher level classification without any more supervision than an employee who regularly works in the higher classification.
 - c) To be eligible for Move Up or Temporary Assignment, the employee must be required to work more than five (5) working days in succession in the higher classification.
 - d) Should an employee be hired to fill a higher classification position during a period of Move Up or Temporary Assignment, the employee's time worked in a higher classification shall not count toward the completion of probationary requirements for the higher classification, unless expressly established as a condition of hiring
- 2) Amount of Move Up or Temporary Assignment Pay
 - a) An employee shall receive compensation equal to ten percent (10%) above the employee's regular base salary, for work performed within the scope and responsibilities of the higher classification and will continue to receive the additional pay for the duration of assignment. Base salary is defined as the base salary paid to the employee without additions for overtime, medical insurance, longevity, expense or other benefits.
 - b) In no event shall the employee receive an amount greater than the base salary for the maximum step for the higher classification.
 - c) An employee shall not receive any other benefit assigned to the higher classification that they are not already receiving.
 - d) While working in an out-of-class assignment, an employee shall continue to accrue, and have recorded, normal step increases in the employee's regular position.
- 3) Move Up or Temporary Assignment Pay Does Not Apply to the Following:
 - a) The mere performance of certain portions of the higher position or assisting with certain duties of the position is filled. The employee appointed to work in a Move-Up

Assignment must be capable of handling the major duties of the higher-level classification without any more supervision than an employee who regularly works in the higher classification. Move-Up Pay does not apply to the performance of certain portions or duties of the higher position.

- b) Where the temporary assignment is a replacement of an employee on vacation.
- c) When the City has activated the Emergency Operations Center (EOC). When the EOC is activated, all public employees are declared to be disaster service workers subject to such disaster service activities as may be assigned to them by their superiors or by law. During a time of emergency, employees may work modified job duties and/or may be asked to take on tasks outside of their normal responsibilities to work in support of emergency operations and such activities and/or duties are not eligible for Move Up or Temporary Assignment Pay.

3.18 WITNESS AND JURY DUTY PAY:

Required court time for off-duty regular full-time City employees shall be treated as overtime, with the minimum time being two (2) hours for any one day. This section shall not apply to any on-duty employees. This section shall apply only in court cases dealing with the scope of employment and shall not apply in cases of a personal or non-job related court action.

Every classified employee of the City who is called or required to serve as a trial juror shall be entitled to absent himself or herself from his/her duties with the City during the period of such service or while necessarily being present in court as a result of such call. Said employee shall continue to receive his/her full compensation from the City while serving on such jury duty, but shall reimburse the City the amount of daily per diem fees (exclusive of travel expenses) paid to such employee while acting as a juror.

3.19 STANDBY PAY:

Only the City Manager or Acting City Manager may order standby status. When on standby status, an employee shall be required to be on call during normal time off, accessible by telephone or other agreed upon electronic device and available to report to work immediately.

The City agrees to pay two hours of straight time pay, or the employee may elect to take two hours compensatory time, per twenty-four (24) hour period or portion thereof in excess of four (4) hours when any miscellaneous unrepresented employee is required to be on call on a standby basis at home during normal time off. This does not include informal alerts or requests to keep the City Manager or Acting City Manager advised of whereabouts during possible emergencies.

An employee on standby status must be in physical condition to adequately to perform his/her duties and must not have consumed any alcoholic beverage or taken medication or other substance that might, in any way, hinder performance of his/her duties.

3.20 PAID REST AND RECOVERY TIME:

An employee who is required to work after 8:00 p.m., and is scheduled to work the following day, that employee may report to work two (2) hours later the following day. The employee will be paid their regular wage for two (2) hours.

SECTION 4 LEAVE REGULATIONS

4.1 ANNUAL LEAVE:

Annual leave for regular full-time employees and regular part-time employees is inclusive of all leave benefits (vacation, sick, floating holidays, paid administrative leave and approved paid personal leave, and can be used for vacations, personal time off, sick leave purposes and other time away from work consistent with the terms of this section. The use of annual leave for "Sick Leave Purposes" means 1) time off to diagnose, care or treat an existing health condition, or for preventive care for the employee or for the employee's child, spouse, domestic partner, parent, parent of employee's spouse or domestic partner, grandparent, grandchild, or sibling; and 2) time off for employees who are victims of domestic violence, sexual assault, or stalking may also use annual leave to seek medical attention, obtain services from a shelter or crisis center, obtain counseling, or go to court.

Employees covered in this Conditions of Employment, who have served less than thirty (30) days within a year of the commencement of employment in the service of the City are not eligible for annual leave. However, leave credits for the time will accrue for each such regular full-time employee.

4.2 ANNUAL LEAVE BANK:

In place of separate leave accrual for vacation, sick leave, paid administrative leave and floating holidays, each employee will accrue leave in a Leave Bank that will be inclusive of all such leave benefits (vacation, sick, floating holidays, paid administrative leave and approved paid personal leave).

4.3 LEAVE ACCRUAL:

At the beginning of each fiscal year eligible employees will receive a leave bank equal to one-half his/her annual leave entitlement; employees will receive the remaining one-half of his/her leave entitlement in the first full pay period in January.

Employee's annual leave entitlement for his/her first year of employment shall be based on the number of full months that employee will work for the City prior to the July 1 following their date of hired. For example, if an eligible employee's first day of employment is December 15, her/his annual leave entitlement for their year of employment will be 50% of 144 hours, which equals 72 hours. However, the amount of the leave bank entitled for the first year of employment will not be less than twenty-four (24) hours or three (3) days, whichever is greater. The first year amount of annual leave will be credited to the employee's leave bank after the employee completes thirty

(30) days of employment in the service of the City. The amount of annual leave credited to the employee's leave bank for their first year of employment will not be subject to the maximum leave bank accumulation as provided in section 4.8.

Regular part-time employees who work less than full-time, but are scheduled to work more than 1040 hours a year are eligible for annual leave benefits, and shall be credited leave bank time on a prorated basis.

In the event one or more municipal holidays fall within an authorized leave with pay, such holidays shall not be charged as leave, and the leave shall be extended accordingly.

Upon termination of employment with the City, the cash value of any unused leave time in excess of that which would have been earned had it been granted on a pro-rated monthly basis and other outstanding obligations due the City shall be deducted from the final payment to the employee.

Accrued leave time can be taken off prior to the date of retirement and used to delay final date of employment if it is requested in writing and approved at least thirty (30) days prior to the scheduled date that such leave would begin.

4.4 LEAVE BANK SCHEDULE:

(Days on leave bank schedule are figured as eight (8) hour days)

<u><i>Years of Service</i></u>	<u><i>Accrual</i></u>	
One through three	144 hours	(18 days)
Four through six	160 hours	(20 days)
Seven through ten	184 hours	(23 days)
Eleven	192 hours	(24 days)
Twelve	200 hours	(25 days)
Thirteen through fifteen	208 hours	(26 days)
Sixteen through eighteen	224 hours	(28 days)
Nineteen or more	232 hours	(29 days)
Thirty years (longevity benefit)	24 additional hours	3 additional days

4.5 LEAVE ELIGIBILITY:

Employees are eligible to use annual leave benefits on their ninetieth (90th) day of employment.

4.6 NOTIFICATION FOR USE OF LEAVE BANK:

Except for annual leave used for Sick Leave Purposes, in cases of emergency or when the need to use leave time is not otherwise reasonably foreseeable, notification for use of leave bank hours will be as follows:

Employees are required to make written requests through the appropriate supervisory channels for the use of accrued leave time. The written request shall be submitted at least two (2) full working days in advance for leave requests of up to four (4) working days; for leave requests of five (5) working days or more, the written request shall be submitted at least ten (10) working days, but not earlier than ninety (90) calendar days, prior to the beginning date of the requested leave. No use of accrued leave time or related absence is authorized until the employee's written request is approved in writing.

Leave periods shall be scheduled by management to provide adequate staffing. Such scheduling shall be subject to the needs of the City but shall take into account employee seniority and personal preference. The City will make every effort to give maximum possible advance notice to the affected employee in the event scheduled leave must be cancelled or modified due to the needs of the service.

Where use of accrued leave time is requested for Sick Leave Purposes, in cases of emergency or when the need to use leave time is not otherwise reasonably foreseeable, notification for use of leave bank hours will be as follows:

Where the need to use annual leave for Sick Leave Purposes is foreseeable, employees must provide reasonable advance notice, orally or in writing, to their supervisor or Human Resources. If the request for the use of five (5) or more days of leave time is related to plan medical treatment, when possible the employee should make the request for use of leave time at least ten (10) working days in advance. When the need to use annual leave for Sick Leave Purposes is not foreseeable, is being used in cases of emergency or when the need to use leave time is not otherwise reasonably foreseeable, employees are required to notify their supervisor or Human Resources, orally or in writing, as soon as practicable.

4.7 UNAUTHORIZED LEAVE

An employee's absence shall be unauthorized if the employee does not report his or her absence to his or her supervisor or Human Resources as required under section 4.4.

4.8 LEAVE BANK ACCUMULATION

A maximum of one hundred and sixty hours (20 days) of leave accrual will be the maximum allowed for carry-over at the end of a fiscal year, provided however, if at the end of year there are any leave bank hours over 160, the hours will be carried over and a commensurate number of hours shall be deducted from the employee's annual accrual in order that the maximum leave bank accrual not exceed an employee's annual accrual plus 120 hours.

4.9 LEAVE BANK CASH-OUT/OPTIONS

1. During the month of December, an employee may elect to convert up to eighty (80) hours of any unused leave hours accrued or contribute the value of the cash payment to their existing 457 plan up to the legally allowed maximum and with proper notice, provided the employee retains an accrued leave balance of at least forty (40) hours

in their leave bank. Compensation for such cash-out of unused accrued leave hours will be based on the employee's existing salary at the time the request is made. In order to cash-out unused leave hours, an employee must make an irrevocable election (i.e., pre-designation) during the month of December, specifying the total number of hours to be cashed-out from next year's leave accrual. During the calendar year following the pre-designation, an employee may choose an increment to cash out in April and/or July. If no cash-out occurs in April and/or July and/or any balance of the pre-designated amount remains, said amount will be cashed out in December. If the employee does not have the vacation hours available to satisfy the amount pre-designated for the cash-out, the employee will be precluded from making an irrevocable election and cashing-out the following calendar year.

2. Further, each employee may direct that all or any portion of the allowed cash-out amount be used to buy benefits offered under the Flexible Benefit Program.

4.10 TREATMENT OF ACCRUED LEAVE UPON TERMINATION

At the time of termination of employment, employees shall be paid the cash value of all unused accrued leave hours based on the employee's then existing salary rate; or, in the alternative, the employee may exercise the option to invest the cash value of such unused accrued leave hours in the Employee Flexible benefit Program.

If a retiring employee terminates employment during the year and is legally entitled to a distribution of unused leave, the employee may submit, in writing, his or her request for the City to "hold" payment of his or her accumulated leave until the following year. Such request must be submitted in writing in advance of the date of retirement and requires written approval by the City Manager before any disbursement can be made.

4.11 CATASTROPHIC EVENT:

In the event an employee in this group suffers a catastrophic event, e.g. serious illness, and there is not a sufficient leave balance to cover the employee's absence from the workplace, upon written request to the City Manager, an advancement of up to thirty (30) days of leave may be granted, with the understanding that it will be reimbursed to the City on a day-for-day basis from future allocated leave or reimbursed to the City as outlined under Section 3.6 Outstanding Obligations Upon Termination.

4.12 UNPAID LEAVE:

Leave of Absence Without Pay

The City Manager may grant a regular or probationary employee leave of absence without pay or accrual of employment benefits, such as paid time off or seniority, for reasons other than pregnancy, disability or family care leave, for a period not to exceed ninety (90) days. No employee shall be authorized leave without pay if said employee has accrued leave or compensatory time-

off accrued on the books of the City. After ninety (90) days, the leave of absence may be extended if authorized by the City Council.

No such leave shall be granted except upon written request of the employee, setting forth the reason for the request, and the approval will be in writing. Upon return to duty following expiration of a regularly approved leave, the employee shall be reinstated in the position held at the time leave was granted. Failure on the part of the employee on leave to report promptly at its expiration shall be cause for discharge. The depositing in the United States mail of a first-class letter postage paid, addressed to the employee's last known place of address shall be reasonable notice.

Department heads may grant a regular, or probationary employee leave of absence without pay for not to exceed one (1) calendar week. If the leave of absence request without pay is in relation to an employee's disability accommodation, then the leave shall be determined through the interactive process on a case-by-case basis. Such leaves shall be reported to the Human Resources/Risk Manager.

No leave shall accrue to any employee during any full biweekly pay period in which the employee is on an authorized leave without pay in excess of five (5) days. Employee on leave without pay may also be responsible for full payment (employer and employee portion) of insurance premiums for insurance coverage during such leave. Benefits shall be continued at City expense during the first thirty (30) days of such leave.

Statutory Family and Medical Leave

1. Eligibility

The City provides eligible employees the opportunity to take unpaid leaves of absence for specific reasons in accordance with California's Family Rights Act (CFRA) and the federal Family and Medical Leave Act (FMLA). To be eligible for FMLA/CFRA Leave, an employee must (1) have worked for the City for at least twelve months prior to the date on which the leave is to commence; and (2) have worked at least 1,250 hours in the twelve months preceding the leave.

2. FMLA Leave

a. Permissible Uses

"Family care leave" may be requested under the FMLA for (1) the birth or adoption of an employee's child, (2) the placement of a foster child with the employee; or (3) the serious health condition of an employee's child, spouse, or parent. "Medical leave" may be requested under the FMLA for an employee's own serious health condition. A "serious health condition" is one that requires either in-patient care in a medical facility or continuing treatment or supervision by a health care provider.

"Qualifying exigency leave" may be requested under the FMLA (and CFRA) for qualifying exigencies arising out of the fact that an employee's spouse, son, daughter, or parent is on active duty (or has been notified of an impending call

or order to active duty) in the Armed Forces in support of a contingency operation. "Qualifying exigencies" include certain absences related to short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post- deployment activities, and additional activities. Employees may contact the Human Resources/Risk Manager or her or his designee for more information about what qualifies as a "qualifying exigency."

"Military caregiver leave" may be requested under the FMLA to care for a "covered service member" if the employee is a spouse, child, parent, or next of kin of the "covered service member." A "covered service member" is:

- A member of the Armed Forces, including the National Guard and Reserves, who, because of a serious injury or illness incurred in the line of duty while on active duty that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating, is: (1) undergoing medical treatment, recuperation, or therapy; (2) in outpatient status; or (3) on the temporary disability retired list; or
- A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

b. Amount of FMLA Leave Available

Provided all the conditions of this policy are met, an employee may take a maximum of twelve (12) weeks total of family care leave, medical leave, and qualifying exigency leave under the FMLA in a 12-month period. This 12-month period is measured backwards from the date the employee's family care leave, medical leave, or qualifying exigency leave under the FMLA commences. Spouses who are both employed by the City may take a maximum combined total of twelve weeks of family care leave under the FMLA in a 12-month period for the birth, adoption, or foster care of their child.

Provided all of the conditions of this policy are met, an employee may take up to 26 weeks total of a combination of all leaves under the FMLA during a 12-month period (up to 12 weeks of which may be for FMLA leave other than military caregiver leave). The 12-month period used to measure this entitlement will commence upon the first use of military caregiver leave under the FMLA for a covered service member's particular injury.

3. CFRA Leave

"Family care leave" may be requested under the CFRA for (1) the birth or adoption of an employee's child, (2) the placement of a foster child with the employee; or (3) the serious health

condition of an employee's child, spouse, domestic partner as defined in California Family Code Section 297, or parent. Under the CFRA, "child" means a child, including a child who is 18 years of age or older who is capable of self-care. An employee's child means a biological, adopted, foster, step-child, legal ward, a child of a domestic partner, or a person to whom the employee stands in loco parentis. Under the CFRA only, leave is permitted to care for a domestic partner, grandparent, grandchild, or sibling who has a serious health condition. Leave for this purpose does not apply to FMLA leave and will not run concurrently with leave under the FMLA. "Medical leave" may be requested for an employee's own serious health condition. A "serious health condition" is one that requires either in-patient care in a medical facility or continuing treatment or supervision by a health care provider.

Under the CFRA only, leave for "qualifying exigencies" arising out of the fact that an employee's domestic partner is on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation. Leave for this purpose does not apply to FMLA leave and will not run concurrently with leave under the FMLA.

Provided all of the conditions of this policy are met, an employee may take up to twelve (12) weeks of leave under the CFRA during a 12-month period. This 12-month period is measured backwards from the date the employee's family care leave or medical leave under the CFRA commences.

If both parents of a child, adoptee, or foster child are employed by the City and are entitled to bonding leave:

1. The aggregate number of workweeks of FMLA leave to which both may be entitled may be limited to 12 workweeks during any 12-month period; and
2. Each parent is entitled to take 12 workweeks of CFRA leave during any 12-month period.

If both parents of a covered service member are employed by the City and are entitled to leave to care for a covered service member, the aggregate number of workweeks of leave to which both may be entitled is limited to 26 work weeks during the 12-month period. This limitation does not apply to any other type of leave under this policy.

Family care leave and medical leave under the CFRA typically run concurrently with family care leave and/or medical leave under the FMLA, except as otherwise set forth herein.

4. Intermittent Leave

FMLA/CFRA Leave taken for the birth, adoption, or foster care placement of a child generally must be taken in blocks of at least two (2) weeks' duration; however, the City will provide employees with family care leave for birth, adoption, or foster care placement for periods of less than two (2) weeks duration on any two (2) occasions. FMLA/CFRA Leave taken for the birth, adoption, or foster care placement of a child must be concluded within one (1) year of the birth, adoption, or placement.

Qualifying exigency leave under the FMLA may be taken on an intermittent or reduced schedule as required by the qualifying exigency.

FMLA/CFRA Leave for any other reason may be taken intermittently or on a reduced schedule where medically necessary. If FMLA/CFRA Leave is authorized to be taken intermittently or on a reduced schedule, the City retains the discretion to transfer the employee temporarily to an alternative position with equivalent pay and benefits which better accommodates the employee's leave schedule.

5. Substitution of Paid Leave

Employees are required to substitute accrued paid time off, including accrued compensatory time off, for all FMLA/CFRA Leaves, except that employees can retain a five (5) day balance of accrued paid time off.

If the employee is receiving payments from State Disability Insurance ("SDI") while on FMLA/CFRA leave, the accrued paid leave time will only be used in an amount which supplements the SDI payment such that the employee receives the full amount of his or her regular compensation as an active employee.

The substitution of paid leave time for FMLA/CFRA Leave does not extend the total duration of FMLA/CFRA Leave to which an employee is entitled. For example, if an employee has accrued two (2) weeks of unused paid vacation time at the time of the request for medical leave under the FMLA/CFRA, that paid vacation time will be substituted for the first two (2) weeks of FMLA/CFRA Leave, leaving up to ten (10) additional weeks of unpaid FMLA/CFRA Leave.

6. Leave's Effect on Pay

Except to the extent that other paid leave time is substituted for FMLA/CFRA Leave, FMLA/CFRA Leave is unpaid.

7. Leave's Effect on Benefits

During an employee's FMLA/CFRA Leave, the City shall continue to pay for the employee's participation in the City's group health insurance to the same extent and under the same terms and conditions as would apply had the employee not taken leave. Employees are required to continue to make any payments they normally make towards healthcare coverage premiums while on leave. In the event an employee on leave fails to make timely payment for their portion of healthcare coverage premiums, the City will notify the employee of such failure and, if payment is not made, terminate the coverage.

If the employee fails to return from the leave for a reason other than the recurrence or continuation of the health condition that brought about the leave or other circumstances beyond the employee's control, the City is entitled to recover any health premiums paid by the City on the employee's behalf during any unpaid period of the leave.

Employees on FMLA/CFRA Leave accrue employment benefits, such as paid time off or seniority, only when paid time off is being substituted for unpaid leave and only if the employee would

otherwise be entitled to such accrual. If the employee is using accrued paid time off to supplement SDI payments as discussed above, he or she will accrue employment benefits on a pro rata basis.

8. Procedure for Requesting Family Care and Medical Leave

Notice Requirements

Employees should notify the Human Resources/Risk Manager of their request for FMLA/CFRA Leave as soon as they are aware of the need for such leave. For foreseeable events, if possible, the employee shall provide thirty (30) calendar days' advance written notice to the Human Resources/Risk Manager of the need for FMLA/CFRA Leave. For events that are unforeseeable thirty (30) days in advance, but are not emergencies, the employee must notify the Human Resources/Risk Manager, in writing, as soon as he/she learns of the need for the leave, ordinarily no later than one (1) to two (2) working days after the employee learns of the need for the leave. If the leave is requested in connection with a planned, non-emergency medical treatment, the employee may be requested to reschedule the treatment so as to minimize disruption of the City's business.

If an employee fails to provide the requisite 30-day advance notice for foreseeable events without any reasonable excuse for the delay, the City reserves the right to deny the taking of the leave.

All requests for FMLA/CFRA Leave should include anticipated date(s) and duration of the leave. Any requests for extensions of an FMLA/CFRA Leave must be received at least five (5) working days before the date on which the employee was originally scheduled to return to work and must include the revised anticipated date(s) and duration of the family care or medical leave.

Certification

Any request for FMLA/CFRA Leave must be supported by proper certification of the need for leave. For foreseeable leaves, employees must provide the required certification before the leave begins. When this is not possible, employees must provide the required certification within fifteen (15) calendar days after the City's request for certification, unless it is not practicable under the circumstances to do so, despite the employee's good faith efforts. Failure to provide the required certification may result in the denial of foreseeable leaves until such certification is provided. In the case of unforeseeable leaves, failure to provide the required certification within fifteen days of being requested to do so may result in a denial of the employee's continued leave. Any request for an extension of the leave also must be supported by an updated certification.

Certification of family care leave under the FMLA/CFRA shall include (1) the date on which the serious health condition commenced; (2) the probable duration of the condition; (3) the health care provider's estimate of the amount of time needed for family care; and (4) the health care provider's assurance that the health care condition requires family care leave.

Certification of medical leave under the FMLA/CFRA shall include (1) the date on which the serious health condition commenced; (2) the probable duration of the condition; (3) a statement that, due to the serious health condition, the employee is unable to perform the functions of his or

her position; and (4) in the case of intermittent leave or revised schedule leave where medically necessary, the probable duration of such a schedule. In addition, the certificate may, at the employee's option, identify the nature of the serious health condition involved. If the City has reason to doubt the validity of the certification provided by the employee, the City may require the employee to obtain a second opinion from a doctor of the City's choosing at the City's expense. If the employee's health care provider and the doctor providing the second opinion do not agree, the City may require a third opinion, also at the City's expense, performed by a mutually agreeable doctor who will make a final determination. Before permitting the employee to return to work, the City may also require the employee to provide medical certification that he or she is able to return to work.

Certification of a military caregiver leave under the FMLA shall be either (1) an appropriate medical certification from an authorized health care provider or (2) a copy of an Invitation Travel Order or Authorization issued by the Department of Defense.

The nature and format of the certification of a qualifying exigency leave under the FMLA will vary depending on the nature of the qualifying exigency, and will typically include a copy of the active duty orders for the employee's spouse, son, daughter, or parent.

9. Leave's Effect on Reinstatement

Employees returning from FMLA/CFRA leave are entitled to reinstatement to the same or comparable position consistent with applicable law, provided that the total period of the FMLA/CFRA Leave does not exceed the employee's maximum leave entitlement as described above.

Employees who take medical leave under the FMLA/CFRA for their own serious health condition must provide medical certifications verifying that they are able to return to work in the same manner as employees who return to work from other types of medical leave.

Pregnancy Disability Leave (POL)

Under the California Fair Employment and Housing Act (FEHA), if an employee is disabled by pregnancy, childbirth or related medical conditions, she is eligible to take a pregnancy disability leave (PDL). If an employee is affected by pregnancy or a related medical condition, she is also eligible to transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties, if this transfer is medically advisable.

- The PDL is for any period(s) of actual disability caused by pregnancy, childbirth or related medical conditions up to four (4) months (or eighty-eight (88) work days for a full-time employee) per pregnancy. For a full-time employee who works 40 hours per week, "four months" means 693 hours of leave entitlement, based on 40 hour per week times 17 1/3 weeks. An employee who works less than 40 hours per week will receive a pro rata or proportional amount of leave.

- The PDL does not need to be taken in one continuous period of time but can be taken on an as-needed basis.
- Time off needed for prenatal care, severe morning sickness, doctor ordered bed rest, childbirth, and recovery from childbirth would all be covered by the PDL.
- Except as other specifically provided in this section, generally, the City is required to treat pregnancy disability the same as the City treats other disabilities of similarly situated employees. The leave will be unpaid.

Employees on PDL will be required to obtain a written certification from their health care provider of the pregnancy disability or the medical advisability for a transfer. The certification should include:

1. The date on which the employee becomes disabled due to pregnancy or the date of the medical advisability for the transfer;
2. the probable duration of the period(s) of disability or the period (s) for the advisability of the transfer, and
3. a statement that, due to the disability, the employee is unable to work at all or to perform any one or more of the essential functions of the position without undue risk to herself, the successful completion of the pregnancy or to other persons or a statement that, due to your pregnancy, the transfer is medically advisable.

At the employee's option, any accrued paid time off may be used as part of the pregnancy disability leave before taking the remainder of the leave as an unpaid leave. However, taking paid time off during the period of the pregnancy disability leave does not extend the maximum time allowed for such leave. Employees may also be eligible for state disability insurance for the unpaid portion of the leave.

Employees on PDL accrue employment benefits, such as paid time off or seniority, only when paid time off is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual. If the employee is using accrued paid time off to supplement SDI payments, she will accrue employment benefits on a pro rata basis.

An employee who is on a leave of absence for a period in excess of two (2) months must notify the Human Resources/Risk Manager by the end of each month thereafter both of the status of the disability and the employee's continued intent to work once the employee recovers from the disability. An employee returning from an absence shall be required to provide a physician's certification that indicates that she is fit to return to work.

An employee who returns to work at the end of a leave of absence due to pregnancy, childbirth or related medical condition will be returned to her former position, if possible, or will be offered the first available opening in a comparable position for which she is qualified.

An employee who returns from a leave of absence due to pregnancy will be credited with all service prior to the commencement of her disability.

An employee who fails to report for work at the end of an approved leave will be deemed to have voluntarily resigned.

During an employee's approved PDL, the City shall continue to pay for the employee's participation in the City's group health insurance to the same extent and under the same terms and conditions as would apply had the employee not taken leave, for up to four months. Employees are required to continue to make any payments they normally make towards healthcare coverage premiums while on leave. In the event an employee on leave fails to make timely payment for their portion of healthcare coverage premiums, the City will notify the employee of such failure and, if payment is not made, terminate the coverage. The City is entitled to recover any health premiums paid by the City on the employee's behalf during any unpaid period of the leave if the employee fails to return from the PDL for a reason other than one of the following: (1) the employee takes FMLA/CFRA Leave; (2) the continuation, recurrence or onset of a serious health condition or serious injury or illness within the meaning of FMLA/CFRA; or (3) other circumstances beyond the employee's control as provided by law.

Employees on PDL accrue employment benefits, such as paid time off or seniority, only when paid leave is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual. If the employee is using accrued paid time off to supplement SDI payments as discussed above, he or she will accrue employment benefits on a pro rata basis.

Paid Family Leave

Employees who are covered by the state's SDI program will be eligible for reimbursement for up to six (6) weeks during a twelve (12) month period of qualifying unpaid leave, for the purposes of bonding with a newborn child (up to one (1) year from birth or adoption), or to care for a family member or domestic partner.

An employee who is eligible for SDI benefits may only become eligible for PFL benefits after SDI benefits are no longer being paid. SDI benefits are payable when an employee is disabled for a non-work related reason, which may include pregnancy; PFL benefits are for baby bonding and for providing care to a family member.

Once an employee is no longer disabled, and (in the case of pregnancy) has given birth, her SDI benefits may cease and she may apply for baby bonding benefits under PFL.

Once an employee applies for PFL, there is a seven (7) day unpaid waiting period before the employee may start receiving benefits. However, an employee who previously served a waiting period before receiving SDI benefits will not have to serve another waiting period before receiving PFL benefits. Employees may use their accrued paid time off during the seven (7) day waiting period.

Paid Family Leave is administered by the State of California and may be modified by the State from time to time.

4.13 DEATH OR CRITICAL ILLNESS IN IMMEDIATE FAMILY BEREAVEMENT LEAVE

An employee eligible for benefits, upon the necessity of his absence being shown to and with the consent of the City Manager, may be allowed to be absent from the duties of his/her position and to receive full compensation during such absence for bereavement leave. Eligible City employees shall be entitled to bereavement leave, in addition to any other leave, to provide up to three (3) working days per year with pay in the case of death or of critical illness where death appears eminent. This time shall be in addition to accrued leave time or compensatory time. The City shall cooperate with the employee in providing time off, using accrued leave time, or compensatory time, for any additional bereavement needs if the three (3) days bereavement leave has been used.

Such benefit shall apply to all immediate family members, to include spouse, child, brother, sister, parent (including step family and in-laws), grandparents and grandchildren when the relationship of the person to the employee warrants such use of bereavement leave. Where such death or critical illness has occurred, the employee shall furnish satisfactory evidence of such death or critical illness to his/her department head.

Such leave of absence shall not be allowed in any case where, in the preceding six (6) calendar months, a leave of absence for the critical illness of that same relative has been granted. Such bereavement leave is not cumulative from year to year.

Leave to attend the funeral of a co-worker will be acceptable to the City upon Department Head approval consistent with maintenance of operations. Such leave is considered leave with pay and not charged to any other leave.

4.14 CONFLICT OF LAWS

In the event of any conflict between the provisions of this Conditions of Employment and Federal or State laws, such Federal or State laws shall prevail.

SECTION 5 LEGAL HOLIDAYS

5.1 Legal Holidays

- A. The City has established the following schedule of days that shall be observed as legal holidays by all affected employees, at which time the City's administrative offices will be closed. The City observes twelve holidays. Three floating holidays are included in the leave bank.

January 1st	New Year's Day
3rd Monday in January	Martin Luther King Day
3rd Monday in February	President's Day
Last Monday in May	Memorial Day
June 19th	Juneteenth
July 4th	Independence Day
1st Monday in September	Labor Day
November 11th	Veteran's Day
4th Thursday in November	Thanksgiving Day
4th Friday in November	Friday following Thanksgiving
December 25th	Christmas Day

- B. Additionally, the following days shall be observed as legal holiday: The day before or after Christmas Day and day before or after January 1st.
- C. When a holiday falls on a Saturday or Sunday, the preceding Friday or the following Monday respectively shall be observed as the legal holiday. If the holiday falls on an employee's flex day, the flex day may be rescheduled within the same work week. Rescheduled flex days off that are rescheduled because a holiday falls on that day are subject to prior approval by the Department Head and appropriate notification to the Administrative Services Department.
- D. Observance of a legal holiday on a Friday or Monday, at which time the City's Administrative offices will be closed, will not create overtime or the loss of time from an employee's leave bank if the holiday falls on a regularly scheduled flex day. The hours for any given holiday will relate to the number of hours of the employee's regular scheduled work day for that particular day.
- E. Nothing in this Conditions of Employment shall preclude the City from declaring a holiday when a legal holiday has been declared by the President of the United States or the Governor of the State of California or the City Council.

SECTION 6 WORKERS' COMPENSATION INSURANCE

When an employee is injured on duty arising out of and in the course of employment (which shall not be construed as an employee's normal commute to and from work), such employee shall receive benefits and incur obligations as follows:

For a period not to exceed six months, commencing with the first day following such injury, while a full-time City employee is totally disabled from industrial injury and on accepted workers' compensation status, employee shall be compensated in an amount equal to such employee's base wages at the time of such disability, less the aggregate of (a) any workers' compensation benefits, and (b) any other disability payments made to such employee. Such payment shall be limited to said six month period or until such employee is retired on permanent disability or terminated from the City's employment, whichever comes first.

An employee shall be entitled to benefits at the normal rate if the employee is on accepted workers' compensation status and in a pay status for up to six months as defined above.

The workers' compensation carrier of the City reserves the right to subrogate if a claim is filed by an employee against a third party.

SECTION 7 RETIREMENT PROGRAM

- A. The City shall continue to participate in the California Public Employees Retirement System (CalPERS). Under CalPERS, the City provides the 2%@55 Miscellaneous Plan formula for all employees who are "classic members" as defined by the Public Employees' Pension Reform Act of 2013 (PEPRA). For all "new members" as defined by PEPRA, the City provides the 2%@62 formula. Employees of the City who are hired on or after January 1, 2013 who classified as new members under PEPRA are subject to the other CalPERS terms and conditions set forth in PEPRA.
- B. Effective the first pay period after the City Council approve the resolution changing the payment and reporting value of Employer Paid Member Contributions (EPMC), affected employees' retirement contribution shall increase by one percent (1%). Additionally, the affected employees shall have their base wages increased by one and six tenths percent (1.60%).
- C. City employees who are considered as "classic" employees (employees hired on or before December 31, 2012) shall share in the cost of CalPERS coverage through payroll deduction as follows:
 - Three and one-half percent (3.5%) of normal contribution of the Employer Paid Member Contribution (EPMC) and Four and one-half percent (4.5%) "compensation earnable" by employees to the employer contribution will be considered to be a contribution towards the normal cost as defined under PEPRA.
- D. Employees who are hired after January 1, 2013 and are new members under PEPRA, shall pay the full member contribution amount." However, new members will not contribute toward any portion of the required employer contribution.
- E. The City shall continue to report the value of the EPMC on all reportable compensation subject to CalPERS for all employees in Management as adopted by Resolution 5761.

SECTION 8 SECTIONS HEALTH/DENTAL BENEFITS FLEXIBLE BENEFIT PROGRAM

8.1 LIFE, HEALTH AND DENTAL BENEFITS

- A. The City will maintain a life insurance program providing a \$50,000.00 term life insurance policy for the miscellaneous unrepresented employee only, the beneficiary to be designated by said employee. The cost of the premium for this policy to be paid in full by the City. Employees retiring with 20 years or more of continuous service with the City and enrolled in the City's group life insurance program at the time of retirement,

may continue to be covered in the City's group life insurance program at City expense for a life benefit of \$10,000. Extended coverage will not include AD&D benefits.

B. The City will maintain the current health insurance program with the Public Employees Retirement System (PERS) Medical and Hospital Care Act (PEMCHA) pursuant to Government Code Section 22850. The health insurance program shall be available to all regular full-time employees and retirees. The City will contribute the PEMHCA statutory minimum on behalf of each participant in the program. The PEMHCA statutory minimum for 2023 is \$151 per month, and changes each year in accordance with Government Code section 22892(b). In addition, the City shall make contributions to a flexible spending cafeteria plan in accordance with Internal Revenue Code Section 125 for all active employees, and to a health savings account for all retirees as follows:

- Each eligible employee or retiree may select a health insurance carrier providing coverage in the Carpinteria geographic area, as defined and provided by PERS and currently in effect and on file in the City Human Resources Office.
- The City will contribute the cost of the most affordable HMO plan available in Ventura and Santa Barbara Counties that employees are eligible to enroll in, i.e., employee only, employee plus one, or family; less the PEMHCA statutory minimum and less the employee's contribution. Employee contributions are calculated on a cumulative basis as follows: employees will pay by payroll deduction, a monthly contribution towards the cost of their health insurance premium (employee and dependents) in an amount equal to .029% of their annual base salary times the percentage of insurance carrier increase or decrease with a minimum of five percent (5%) or maximum ten percent (10%) each year. (For example, if an employee's annual base salary is \$50,000, and the insurance carrier increase is 5%, the calculation would be: $\$50,000 \times .00029 \times 1.05$, the monthly contribution for that employee would be \$15.22.) The most affordable HMO plan will be used for purposes of calculating the percentage of insurance carrier increase or decrease.
- Employees shall be responsible for payment (either through a cafeteria contribution or as a payroll deduction) for any health insurance premium which exceeds the City's contribution amount, including the PEMHCA statutory minimum, for the plan selected for coverage under the PERS Health Benefit Program. *(Effective January 1, 2024. Until the effective date, the City will operate under previous COE language; only employees who elect a Preferred Provider Organization (PPO) plan are responsible for payment of the difference between the premiums of their elected PPO plan and the designated HMO plan - Blue Shield Access+ HMO.)*
- Health insurance coverage for newly hired employees will commence on the first day of the month following one full month of employment. If hired prior to the 15th day of the month, the month of hire will count as a full month of employment and coverage will be effective the first day of the following month. If hired after the 15th day of the

month the month of hire will not count as a full month and the following month will be the first full month of employment.

- For covered employees who terminate during the fiscal year, such health insurance coverage shall end on the last day of the month following when said termination becomes effective, except that the provisions of COBRA may be applied at the employee's option. Covered employees who retire from the City under PERS may, at their option, continue such coverage without interruption pursuant to the provisions of the PERS Health Program.

8.2 DENTAL INSURANCE:

The City will provide 100% of the premium charged to maintain a Dental Insurance Plan for miscellaneous unrepresented employees and, where appropriate, dependent coverage. The City will retain control over the administration of the dental insurance program subject to maintenance of equivalent benefits to the extent it is within the control of the City. COBRA benefits may be applied at the employee's option. Dental coverage will commence on the first day of the month following one full month of employment.

8.3 FLEXIBLE BENEFIT PROGRAM (WELLNESS) ALLOWANCE:

- A. Active regular employees with three or more months of active service with the City shall be credited with a Flexible Benefit Program Allowance. for each calendar year. The City will increase the allowance by 2% annually. Effective January 1, 2023, the allowance is \$1,310.00 (rounded up from \$1309.68). This benefit is based on a calendar year and the allowance will be pro-rated to the first day of the month following one full month of employment.
- B. The purpose of the Flexible Benefit Program is to provide reimbursement to the covered employee for eligible medical and health-related costs not otherwise covered by health insurance or subject to reimbursement from any other source or to participate in other benefits provided by the Flexible Benefit Program. Payment of medical costs, not covered by insurance, must be prescribed by a physician or determined by the Internal Revenue Service (IRS) to be an eligible health-related expense.
- C. In addition to reimbursement for eligible medical and health related costs and dependent care, the employee will have the option to purchase benefits offered through the Flexible Benefit Program. The level of participation in benefits provided by the Flexible Benefit Program will be at the option of each employee. Employees may cash out a portion of any unused allowance up to \$810 of the Flexible Benefit allowance, subject to applicable payroll taxes or contribute such amount to their 457 plan up to the legally allowed maximum and with proper notice. The balance must be used for health-related expenses.

- D. Reimbursement for bona fide health-related expenses, which may be eligible expenses under the Flexible Benefit Program may be subject to payroll taxes unless related to a particular medical condition and so prescribed by a medical doctor.
- E. The City will revisit the annual Wellness Allowance taking inflation into consideration.

8.4 OUTSIDE COVERAGE OPTION:

- A. The employee is not required to select or participate in any health/dental insurance program provided by the City, but such employee must provide satisfactory documentation that he/she is covered by an alternative health/dental insurance program.
- B. Those employees with proof of health and/or dental insurance coverage who choose not to participate in the City's group health insurance and/or dental insurance program due to the availability of other coverage through a spouse's employer, the military, or other source, will receive, in addition to the Flexible Benefit Program allowance, a benefit allowance equal to fifty percent (50%) of the premium charged for the annual single coverage in the PERS basic HMO Plan available to this group of employees. An employee shall receive this benefit allowance as a one-time cash payment, with such payment subject to payroll taxes.
- C. Those eligible employees who participate in the City's group health insurance program and have an eligible spouse or family dependents, but select single coverage and choose to cover any dependents under insurance offered through a spouse's employer, the military, or other source will receive, in addition to the employer contribution, the fully paid premium contribution balance for single health insurance coverage and the wellness benefit allowance as provided for in Section 8.3, plus an additional benefit equal to 50% of the allowance specified in the above section, 8.4(B).

8.5 FITNESS PROGRAM:

The City will reimburse employees at the rate of \$600.00 per fiscal year (\$50.00 per month) for the employee's membership fee at an athletics club or fitness program approved by the City Manager.

SECTION 9 SERVICE AWARDS

The City of Carpinteria has established appropriate service awards to recognize continuous service with the City at levels of five, ten, fifteen, twenty, twenty-five and thirty years. In addition, in recognition of long-time service of twenty-five and thirty years eligible employees are entitled to the following recompense:

Twenty Five Year Service Recognition

Upon completion of twenty-five years of continuous service, eligible employees will be entitled to two personal days of leave per fiscal year. The hours will not have a cash value nor will they

accumulate to be carried over to the next fiscal year. The use of the days as time off shall be subject to the regular request process.

Thirty Year Service Recognition

Upon completion of thirty years of continuous service, eligible employees will receive a commemorative recognition gift and be entitled to have three additional days added to their existing leave bank hours.

SECTION 10 LIFE INSURANCE

10.1 LIFE INSURANCE:

The City will maintain a group term life insurance policy for employee only, the beneficiary to be designated by the employee. The cost of the premium for this policy to be paid in full by the City. The coverage of such life insurance for this classification of employee will be \$50,000 subject to conditions of the providing life insurance company.

Employees retiring with 20 years or more on continuous service with the City and enrolled in the City's group life insurance at the time of retirement, may continue to be covered at City expense for a life benefit of \$10,000. Extended coverage will not include AD&D benefits.

SECTION 11 EDUCATION/TRAINING AND PROFESSIONAL DEVELOPMENT

11.1 TRAINING PROGRAMS:

- A. The City recognizes the importance of training programs and advancement of employees to higher skills and encourages employees to participate in programs to improve his/her performance on the job. All direct costs for all training or instruction required by the City shall be paid for by the City, provided however that no overtime shall accrue to employees for travel time to or from any training program conducted on a non-City site.
- B. To the extent funding is available, the City shall provide for tuition and textbook reimbursement for regular full-time employees to a maximum of \$200 per fiscal year.
- C. Only educational course work recommended by the city and directly related to the affected employee's position with the City will be considered for reimbursement. Only costs for the books required for approved courses shall be deemed reimbursable. All application for reimbursement shall be approved by the City Manager or his/her designee prior to enrollment in the coursework. Reimbursement will be made upon written proof that the employee received a final grade of B or better or, in the case of a non-grade course received a Pass or Satisfactory final grade.

- D. Meeting, travel and/or training expenses will be paid and/or reimbursed with prior authorization by the City Manager or his/her designee as described above and in conformance with the City's Travel and Expense Reimbursement Policy.

SECTION 12 MISCELLANEOUS POLICIES

12.1 PHYSICAL EXAMINATION:

The City encourages all employees to have an annual physical examination as provided for under our health insurance benefits.

12.2 DRESS AND DECORUM:

- A. All employees shall observe professional standards of dress, and decorum considered suitable for general public contact based on current social standards as interpreted by the City Manager.
- B. While on duty, Code Compliance officers shall wear official City-issued uniforms. Field uniforms are not to be worn off duty. If a uniform is worn going to or from work, in order to not give the appearance of an employee being on duty when he/she is officially off duty, the City's uniform insignia must not be visible on public service uniforms.
- C. Employees will comply with standards of dress consistent with the positive representation of the City government through its employees. Employees are also to comply with any uniform requirements and wear all safety apparel and equipment required for their position. No dress codes other than the above standard are to be established in the various departments.

12.3 EMPLOYEE RESPONSIBILITIES:

Each employee shall comply with all safety laws, rules and regulations and adopted policies of the City in performing the duties required of his/her position; and shall not willfully violate any of the provisions of the ordinances and resolutions which have been adopted and/or prescribed by the Carpinteria City Council or City Manager.

12.4 DEATH BENEFIT:

The City shall pay a death benefit in the amount of One Thousand Dollars (\$1,000) directly to the spouse or legal heirs of any affected employee within seventy two hours of the death of any affected employee as the result of any industrial injury or illness as defined by Cal OSHA Publication #120-A, sustained by such employee while on duty within the course and scope of his/her employment with the City of Carpinteria.

12.5 PARTICIPATION IN CITY-SPONSORED RECREATION PROGRAMS:

The City agrees to provide special employee rates to currently employed, regular full-time employees and their immediate family members who wish to participate in City-sponsored Parks and Recreation Department Programs. All fees are payable in advance of participation in the program. Requests for employee rates for City-sponsored programs should be in writing and approved by the Parks and Recreation Director and scheduled with the appropriate recreation program supervisor.

- (1) Eligible employees will receive a fifty percent (50%) discount on tuition and registration only for City-sponsored recreation programs. Individual enrollees will be responsible for any ala carte activities scheduled in the programs, e.g. field and/or camping trips, movies, special meals, etc. A discount on recreation rental equipment is dependent upon availability.
- (2) The annual fee for Community Pool Family Membership will be discounted Seventy-five percent (75%). The fee will include participation in the Masters' Program, Lap Swimming, Recreational Swimming and Water Aerobics.

12.6 EQUAL EMPLOYMENT OPPORTUNITIES:

- A. The City apply equally to all employees covered herein without favor or discrimination because of race, creed, color, sex, pregnancy (including childbirth, breastfeeding and/or related medical conditions), sexual orientation, age, national origin, religion, political or religious affiliations, organization membership, marital status, ancestry, military or veteran status, medical condition (genetic characteristics, cancer or a record or history of cancer), gender, gender identity, or gender expression, genetic information, or any other classification protected by state, federal or local law. The City will not discriminate against a qualified individual with physical or mental disability with regard to employment.
- B. The City commits themselves to the goal of equal employment opportunity in all City services encourages its employees to assist in the implementation of the City's Equal Employment Opportunity commitment.

12.7 GRIEVANCE PROCESSING:

- A. Purpose
 1. To promote employee morale and productivity by establishing a forum for resolving problems in the workplace by communication between employer and employee.
 2. To provide a just and equitable method for resolution of grievances.

3. To afford employees, a systematic means of obtaining further consideration of problems after every reasonable effort through discussions has failed to resolve them.
4. To provide that grievances shall be settled as nearly as possible to the point of origin and shall be as informal as possible.

B. Grievance Defined

1. Grievance shall be defined as a claim by an employee or group of employees adversely affected by an alleged violation, misinterpretation or misapplication of department-wide policy or City rules, regulations, resolutions, ordinances, or memoranda of understanding applicable to the employee, except as follows: Appeals of disciplinary actions of demotion, suspension, dismissal or probationary terminations.
2. Management has the right to establish policies governing the operation of City departments. However, allegations also subject to the grievance procedure are those in which the complaint concerns an inconsistent application of policy where the inconsistency results in a denial of the employee's rights under those policies defined in "A" above.

C. Initiation of Grievance

No act or activity which may be grievable may be considered for resolution unless a grievance is filed in accordance with the procedure contained herein within twenty (20) working days of the date the alleged activity/violation occurred or the date the employee became aware such activity/violation occurred.

In no event shall any grievance be accepted for consideration more than 6 months from the action or incident claimed as its basis regardless of the date of discovery. If the grievance is not presented within the time limitation herein provided, it shall be deemed not to exist.

D. Grievance Processing

The City may designate an officer for the purpose of investigating and/or processing grievances. Upon the request of the employee, the officer shall conduct and/or assist in the investigation, preparation and processing of grievances.

Prior to engaging in grievance handling, the officer shall notify his or her immediate supervisor of a request for assistance no later than five days prior to the requested time. The supervisor shall approve time for grievance processing during the scheduled work day hours prior to the steward or officer beginning the investigation, preparation and processing of grievances.

Both the officer and management will cooperate in expediting the grievance handling process. The employee and the officer shall be afforded reasonable grievance handling time to jointly handle

the grievance. It is agreed that every effort will be made to resolve grievances in an informal and timely manner as the first step in this process.

E. Procedure

Step One

Any employee who has a grievance shall first try to settle it through discussion with their immediate supervisor without undue delay.

Every effort shall be made to find an acceptable solution at the lowest possible level of supervision. The supervisor has seven (7) working days to respond to the grievant. Any grievance settled at this step shall be subject to the review and confirmation of the respective department head before the settlement may become effective. Such review will occur within seven (7) working days or the grievance shall automatically be moved to Step 2. In the event the department head does not confirm the settlement, the grievant may initiate Step 2 of this procedure.

Step Two

If a grievance is not settled in Step 1 or no response was forwarded to the grievant, he/she may file a formal grievance in writing to their Department Head within ten (10) working days after receiving the informal decision from their immediate supervisor or when decision was due. The grievant must submit his/her grievance in writing and must also explicitly specify the policy or the particular section of the Conditions of Employment, rule, resolution, or ordinance the violation of which is being alleged as the basis for the grievance. The remedy requested must also be specified. No modifications in the violation being alleged shall be made subsequent to filing unless mutually agreed to by both the City and the grievant.

The Department Head, after receiving the formal grievance, has ten (10) working days to render a decision in writing.

Step Three

If the grievance is not settled or an answer not forthcoming in Step 2, the grievant may appeal, in writing, within seven (7) working days from the expiration of the time limit for such decision under Step 2 or within seven (7) working days from the receipt of the decision of the department head to the City Manager.

Within ten (10) working days from receipt of appeal, the City Manager, shall deliver a written decision to the grievant.

Step Four

If the grievance is not settled or disposed of at Step 3, the grievant may request the services of a mediator from the State Mediation and Conciliation Service.

The grievance will be settled through mediation and both parties will agree to abide by the decisions made in the mediation process.

Under no circumstances will grievances of any kind for any reason proceed beyond the mediation process.

12.8 DISCIPLINARY PROCEDURES:

A regular, non-probationary employee may be terminated involuntarily or otherwise disciplined for cause, including, without limitation, for violating the provisions of this agreement, poor performance, misconduct, excessive absences, tardiness, insubordination, dishonesty and submitting false or misleading time records or expense reimbursement forms. Without limitation, disciplinary action may include oral or written warnings, suspension without pay, reduction in pay, being placed in a probationary status or termination. When appropriate, progressive discipline will be used, with the disciplinary action being taken dependent on factors including, the severity of the incident on which the disciplinary action is based, the disciplinary history of the employee, and the effect of the incident, act or omission on City services, reputation and other employees. However, the nature of the disciplinary action will depend on the particular circumstances involved, and is at the discretion of the City.

12.9 CITY PROPERTY:

Desks, file cabinets, lockers, computers, tools and other equipment are property of the City and must be maintained in good condition in accordance with the City's policies, rules and regulations. They must be kept clean and are to be used only for work-related purposes. If the City property is lost, or damaged, report it to your supervisor at once. No property may be removed from the premises without the prior authorization of your supervisor.

In order to ensure compliance with this provision and with the City's policies, rules and regulations, the City reserves the right to inspect all City property, without notice to the employee and/or in the employee's absence.

For security reasons, personal belongings of value should not be left in the workplace. The City is not responsible for lost or stolen personal belongings.

Employees should take reasonable steps to protect City property from theft. Employees should immediately inform management if theft of City property is suspected. However, employees should not attempt to stop the theft of City property if doing so poses any risk whatsoever of endangering the safety of the employee or others.

Immediately upon termination of employment, all property of the City (keys, tools, manuals, etc.) must be returned to the City. All personal items should be removed at the time terminated employees leave the premises of the City. Unless otherwise agreed to in writing, if a terminated employee leaves personal items at the workplace, these items are subject to disposal if not removed within five (5) days of the date of the employee's termination.

12.10 CELL USE PHONE POLICY:

The City may provide certain employees with cellular phones that are to be used only for official City business. The City recognizes that employees may need to use their personal cell phone during working hours due to particular family or personal situations. Employees should limit the use of personal cell phones during working hours, to reasonably necessary communications, and use of a personal cell phone should not interfere with City operations or the performance of job duties. If an employee abuses the use of personal cell phone during working hours, at the City Manager, at his discretion, may require that the employee not use personal cell phones during working hours.

In compliance with California Motor Vehicle Code 23123, employees are not to dial any cell phone while driving, except to call a public safety agency. Employees may not receive incoming calls while driving unless the cell phone can be safely operated in a hands free mode. For employees with hands free cell phone operation, in the event an employee receives an incoming call while driving, the employee should either safely pull off the road to converse, inform the caller that he or she will return the call, or ask the caller to call again to allow the employee to reach a place where it is safe to use the phone. While driving, employees are prohibited from using any cell phone to text message, read or send e-mail, or any similar operations. While driving, employees are also prohibited from engaging in any activity or conduct that would constitute distracted driving or otherwise constitute an unsafe driving practice.

12.11 FITNESS FOR DUTY EXAMINATION:

Whenever the City Manager, or the Human Resources/Risk Manager, believes that an employee is unable to perform the essential functions of their job safely due to illness or injury, or is unable to perform the essential functions of their job safely or without posing a danger to themselves or others, the City may require the employee to submit to an independent medical examination at the City's expense. Such medical examination will be limited to the issues or areas of concern regarding the employee's ability to perform the essential functions of their job. If, after the independent medical examination, the City determines that the employee cannot perform the essential functions of their job, or cannot perform such essential functions safely or without posing a danger to himself/herself or others, the employee will be given the opportunity to provide the results of a separate medical evaluation by a qualified health care provider selected by the employee, within fifteen (15) days of the employee's receipt of a medical evaluation from the City. In the event of a difference of opinion between the City's and the employee's health care providers, the City may require a third opinion, at the City's expense, performed by a mutually agreeable health care provider who will make a final determination.

12.12 REASONABLE ACCOMODATION:

The City of Carpinteria is committed to ensuring equal employment opportunities for disabled applicants and employees. It is the policy of the City of Carpinteria to comply with the Federal Americans with Disabilities Act ("ADA") and the California Fair Employment and Housing Act ("FEHA"). Every reasonable effort will be made to provide an accessible work environment for such employees and applicants. The City of Carpinteria will not discriminate against disabled

employees. The City of Carpinteria provides reasonable employment-related reasonable accommodation(s) to permit an applicant or employee to perform the essential functions of the job, as defined by law, to qualified individuals with disabilities, and will engage in the interactive process within the meaning of the ADA and FEHA.

APPENDIX A

City of Carpinteria ***Policy on Public Employee Personal Use of*** ***Telecommunication Equipment, Electronic Mail, Voice-*** ***Mail and other computer systems***

PURPOSE

City-owned telecommunication equipment, computer hardware and software is intended to be used for business purposes. Electronic mail, known commonly as e-mail, is now a primary vehicle for communication in the workplace. As the use of e-mail increases, the need for a clear and comprehensive City's policy on personal use of City equipment becomes important to clarify the rights and obligations of employees and as a protection from potential liability for employers.

POLICY

The City maintains and utilizes as part of its operations a computer system, including e-mail, and a voice-mail system. These systems are provided to assist employees in the conduct of the City's business. All computers to the data stored on them, including e-mail, messages composed as well as all voice-mail are and remain at all times the property of the City. All remain the property of the City. Employees are prohibited from installing or downloading software onto the City's computer system except with the prior authorization of the Administrative Services Director.

Employees should attempt to limit voice-mail and e-mail messages to the conduct of the City's business. Use of the voice-mail and e-mail systems for the conduct of personal business is discouraged. The City reserves the right to prohibit the use of voice-mail and e-mail for the conduct of personal business when deemed appropriate. Other use of computer systems, including use of the Internet and other telecommunicating capabilities, should be limited to the conduct of the City's business unless prior written approval is received from the employee's supervisor.

Except for the right of the City to access data stored on the computer system, including e-mail messages, and to access voice-mail messages as described in this policy, all data stored on the computer system and all messages sent by voice-mail and e-mail are considered to be confidential, and as such are to be accessed only by the employee storing the data, the addressed recipient or at the direction of the addressed recipient. Any exception to this policy must be approved by the Administrative Services Director.

The City reserves the right to retrieve and read any data stored on the computer system and any message composed, created, sent or received on the voice-mail and e-mail systems, as well as Internet usage data, at any time, with or without advance notice to the employee. Although the computer system, including e-mail, and the voice-mail system may accommodate the use of passwords for security, the reliability of passwords for maintaining confidentiality cannot be guaranteed. All passwords must be made known to the City, and passwords not known to the City

may not be used. This is due to the need to access employees' computer systems, including e-mail, and voice-mail systems in the event that an employee is absent or when otherwise deemed appropriate by the City. Employees must therefore assume that any and all voice-mail and e-mail messages and all data stored on the computer system may be read by someone other than the employee storing the data or the intended or designated recipient, and understand the ultimate privacy of data stored on the computer system, including e-mail, and voice-mail messages, cannot be guaranteed to anyone.

The City's policy against unlawful harassment, including sexual harassment, and the City's anti-discrimination policy apply to employees' use of voice-mail, e-mail messages and screen savers as well as any other information transmitted over the City's computer system. Employees should not use any means of electronic communications in a manner that would violate those policies. For example, employees may not communicate messages by computer, voice-mail or other electronic means that would constitute sexual harassment, may not use sexually suggestive screen savers, and may not receive or transmit pornographic, obscene or sexually offensive material or information. As a further example, employees may not use electronic communications to transmit comments or images which are reasonably likely to offend someone on account of his/her age, sex, sexual orientation, race, religious beliefs, national origin, disability, or any of the other factors included in the Equal Employment Opportunity section of this Handbook. Any employee who uses any electronic communications device in a manner which violates this policy will be subject to disciplinary action, up to and including termination of employment.

DIGITAL DEVICES

Employees may not use any personal e-mail account or any digital or electronic device not owned by the City, including but not limited to any laptop computer, desktop computer, tablet computer, cellular telephone, personal digital assistant, or any other device capable of storing electronic information ("Digital Device") for City business without the City's prior written approval. Digital devices used by employees for City business may be subject to inspection to obtain City-related communications if requested under the Public Records Act.

APPLICATION

This policy applies to all employees with the City of Carpinteria.

The City reserves the right to prohibit the use of voice-mail and e-mail for the conduct of personal business when deemed appropriate.

APPENDIX B

SUBSTANCE ABUSE POLICY

This policy sets forth the rights and obligations of City employees. Employees should familiarize themselves with the provisions of this policy *because compliance with this policy is a condition of employment.*

I. PURPOSE

The City of Carpinteria, in its efforts to provide a drug and alcohol free environment, has adopted this Drug and Alcohol Free Workplace Policy. It is the purpose of this policy to eliminate alcohol and drug abuse by City Employees and its effects in the workplace. The presence of drugs and alcohol on the job and the influence of these substances on employees during working hours jeopardizes the safety of employees, the public, and the efficiency of City operations. It is the intent of the City, in adopting this policy, to meet the requirement of the Drug Free Workplace Act of 1988 (41 U.S.C. Section 701-707).

II. POLICY

In recognitions of the duties entrusted to the employees of the City of Carpinteria and with knowledge that drugs and alcohol hinder a person's ability to perform job related duties safely and effectively, the City of Carpinteria adopts the following policy:

1. The use, possession, manufacture, dispensation or distribution of drugs and alcohol is prohibited:
 - a. in the workplace;
 - b. while on City time;
 - c. in City vehicles or facilities except as defined in City's facilities use policies;
 - d. prior to coming to work, so that the employee's performance is impaired.
2. The City is committed to providing reasonable accommodation to those employees whose drug or alcohol problem classifies them as disabled, under federal law.
3. The City has established a voluntary Employee Assistance Program (EAP) to assist those employees who voluntarily seek help for alcohol or drug problems (as well as for a variety of other personal problems). Employees may seek confidential assistance from the EAP counselor.

III. APPLICATION

1. This policy applies to all full time, part time and temporary employees, and to all applicants for positions with the City. This policy applies to alcohol and all substances, drugs or medications, legal or illegal, which impairs an employee's ability to effectively and safely perform his/her job duties.
2. A copy of this policy will be provided to all City employees.
3. A drug-free awareness program will be established to inform employees of the dangers and penalties of drug use in the workplace and of available counseling, rehabilitation and employee assistance programs.
4. Violations of the policy may result in disciplinary action being taken, up to and including termination.

IV. DEFINITIONS

For the purposes of this policy:

- A. "Illegal drugs" means any drug or controlled substance that is not legally obtainable or is legally obtainable but has not been legally obtained. Consistent with federal law, marijuana is considered an illegal drug, and consistent with the Federal Drug-Free Workplace Act of 1988 and the California Drug-Free Workplace Act, the restrictions related to illegal drugs under this Policy also apply to marijuana.

A. EMPLOYEE QUESTIONS

Employees shall refer any questions regarding rights and obligations under this policy to Human Resources.

B. PROHIBITIONS

The following conduct is prohibited and may result in discipline, up to and including termination:

1. The use, possession, manufacture, dispensation or distribution of drugs and alcohol is prohibited:
 - a. in the workplace;
 - b. while on City time;
 - c. in City vehicles or facilities except as defined in City's facilities use policies;
 - d. prior to coming to work, so that the employee's performance is impaired.

2. Reporting for duty or remaining on duty while having an alcohol blood concentration level of 0.08 or greater.
3. Being on duty or operating a vehicle on duty while possessing alcohol.
4. Using alcohol while on duty.
5. Reporting for duty or remaining on duty when the employee used any controlled substances, except of the use is pursuant to the written instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to perform their job.
6. Reporting for duty or remaining on duty if the employee tests positive for controlled substances.
7. Refusing to submit to any alcohol or controlled substances test required by this Policy. A covered employee who refuses to submit to a required drug/alcohol test will be treated in the same manner as an employee who tested 0.08 or greater on an alcohol test or tested positively on a controlled substances test.
A refusal to submit to an alcohol or controlled substances test required by this Policy includes, but is not limited to:
 - a. A refusal to provide a urine sample for a drug test;
 - b. An inability to provide a urine sample without a valid medical explanation;
 - c. A refusal to complete and sign the breath alcohol testing form, or otherwise to cooperate with the testing process in a way that prevents the completion of the test;
 - d. An inability to provide breath or to provide an adequate amount of breath without a valid medical explanation;
 - e. Tampering with or attempting to adulterate the urine specimen or collection procedure;
 - f. Not reporting to the collection site in the time allotted by the supervisor or manager who directs the employee to be tested (the time allotted shall be reasonable. In most cases the City will provide transportation to and from the collection site.);
 - g. Leaving the scene of an accident without a valid reason as to why authorization from a supervisor or manager who shall determine whether to send the employee for post-accident controlled substances and/or alcohol test was not obtained.

C. USE OF LEGAL DRUGS

The City recognizes that it may be necessary for employees to use legal drugs from time-to-time. The City also recognizes that an employee who is using legal drugs might become impaired by the drug such that the employee's ability to perform or to perform safely would be compromised. Employee who knows or should know that their use of legal drugs might endanger their own safety or the safety of some other person, or pose a risk of significant damage to City property or the property of others, are obligated to report such use of legal drugs to Human Resources or the City Manager and obtain Human Resources' or the City Manager's consent to continue working. The City reserves the right to have a designated physician determine whether it is advisable for the employee to continue working while taking such drugs. The City further reserves the right to have the employee's physician certify that when returning from a leave of absence, the employee will not be using any legal drugs which might impair the employee's ability to perform the employee's job duties for the City.

If appropriate, the City may restrict the work activities of an employee who is using legal drugs or require that the employee take a leave of absence while taking such drugs. If the City permits an employee to work while using legal drugs, the employee still cannot report to work in any case if impaired by the use of the drugs if the impairment might endanger the employee's own safety or the safety of anyone else, pose a risk of significant damage to City property or substantially interfere with the employee's job performance or the efficient operation of the City's business. The City may require a medical certificate not medical diagnosis as a precondition to return to work.

D. CIRCUMSTANCE UNDER WHICH DRUG AND ALCOHOL TESTING WILL BE IMPOSED ON COVERED EMPLOYEES.

1. Drug and Alcohol Testing

Applicants receiving a conditional offer of employment for certain designated positions, e.g. lifeguards, swim instructors, swim coaches, shall be subject to a urine and/or blood test for the presence of illegal drugs or alcohol. The City may refuse to employ an applicant whose test results show the presence of illegal drugs or alcohol. Applicants who are under a physician's care and/or are required to take legal drugs must notify Human Resources or its designee of that fact in writing before the date of the pre-employment examination. This applies to initial appointment as a classified employee only, and not to promotion within the service.

2. Reasonable Suspicion Testing

The City may require a blood test, urinalysis, or other drug and/or alcohol screening of those employees who are reasonably suspected of using or being under the influence of a drug or alcohol at work, under the following circumstances.

a. “Reasonable suspicion” to test exists if, based on objective factors, a reasonable person would believe that the employee is under the influence of drugs or alcohol at work. Examples of objective factors, include, but are not limited to a combination of: unusual behavior, slurred or altered speech, body odor, red or watery eyes, unkempt appearance, unsteady gait, lack of coordination, sleeping on the job, a pattern of abnormal or erratic behavior, a verbal or physical altercation, puncture marks or sores on skin, runny nose, dry mouth, dilated or constricted pupils, agitation, hostility, confused or incoherent behavior, paranoia, euphoria, disorientation, inappropriate wearing of sunglasses, tremors, or other evidence of recent drug or alcohol use. If the City suspects drugs or alcohol may have played a role in an accident involving City property or equipment that will also constitute reasonable suspicion.

b. Document and Analysis: In order to receive authority to test, the supervisor must record the factors that support reasonable suspicion in writing and analyze the matter with Human Resources or the City Manager, and if they are unavailable, the Department Head. Any reasonable suspicion testing must be pre-approved by Human Resources or the City Manager, and if they are unavailable, the Department Head.

c. Testing Protocol: If the documentation and analysis show that there is a reasonable suspicion of drug or alcohol abuse at work, and Human Resources or the City Manager, and if they are unavailable, the Department Head, has approved, the employee will be relieved from duty, transported to the testing facility and to their home after the test. The employee will be placed on sick or other paid leave until the test results are received.

d. Interview of Employee: An employee shall not be asked any questions without first being offered the right to have a representative present.

1. Post-Accident Testing

Post-accident drug and alcohol testing will be conducted on employees following an accident where reasonable suspicion indicators also exist to support the testing.

Alcohol: Post-accident alcohol test shall be administered within two hours following an accident and no test may be administered after eight hours.

Drug: A post-accident drug test shall be conducted within eight (8) hours following the accident.

An accident occurs when as a result of an incident involving a vehicle operated by a covered employee:

- (1) Any individual(s) receives an injury(s) requiring immediate hospital treatment, or ;
- (2) There is a recommendation by an on scene paramedic or medical professional that individual(s) involved in the accident should see a physician for injury(s) arising out of the accident.
- (3) A DMV Traffic Accident Report is required, i.e. the estimate of damage exceeds \$1,000 or the current DMV threshold and either law enforcement or, in the absence of law enforcement, Supervisor makes an on scene determination that the employee is at fault..

4. Return To Duty/Follow-up Testing:

A covered employee who has violated any of the prohibitions of this policy (See Section C) may be required to submit to a return to duty test before he/she may be returned to his/her position. The test result must indicate an alcohol concentration of less than 0.08 or a verified negative result on a controlled substances test.

E. EMPLOYEE RESPONSIBILITIES:

An employee:

1. Must not report to work, or be subjected to scheduled duty while his/her ability to perform job duties is impaired due to on or off duty alcohol or drug use.
2. Must not use, possess, sell, purchase, manufacture, dispense or distribute, transport drugs or alcohol;
 - a. in the workplace, or while conducting or performing City business, regardless of location, or while operating or responsible for the operation, custody, or care of City equipment or other property;
 - b. on City time;
 - c. in City vehicles or facilities except as defined in City's facilities use policies;

- d. prior to coming to work, so that the employee's performance is impaired
- 3. Must notify his/her supervisor, before beginning work, when drugs (prescription or non-prescription) may interfere with the safe and effective performance of duties or operation of City equipment. In the event there is a question regarding an employee's ability to safely and effectively perform assigned duties while using prescribed drug, authorization form a qualified physician may be required.
- 4. Must notify his/her department head of any criminal drug or alcohol statute conviction, for a violation occurring in the workplace, no later than five (5) days after such conviction.
- 6. Who thinks he/she may have an alcohol or drug use problem is urged to voluntarily seek free confidential assistance from the City's Employee Assistance Program (EAP) counselor. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to job related performance problems.
- 7. Must notify his/her department head of all alcohol or criminal drug statute convictions no later than 5 days after such conviction. Off duty arrests or charges do not need to be reported and will not be used for disciplinary or employment purposes.
- 8. Must notify his/her supervisor, before beginning work, when drugs (prescription or non-prescription) may interfered with the safe and effective performance of duties or operation of City equipment (See Attachment A, Article III, Section 3).
- 9. Who thinks he/she may an alcohol or drug use problem is urged to voluntarily seek free confidential assistance from the City's Employee Assistance Program (EAP) counselor. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to job related performance problems.

F. MANAGERS' AND SUPERVISORS' RESPONSIBILITIES

- 1. Managers and supervisors are responsible for enforcement of this policy and will inform the Department Head and the Human Resources Manager of any violations.
- 2. Employees who may have a suspected alcohol or drug use problem should be encouraged to voluntarily seek confidential assistance from the City's Employee Assistance Program (EAP).
- 3. When an employee is involved in an accident, or there is reasonable suspicion, managers and supervisor shall prevent the employee from engaging in further work, remove the employee from the workplace, and then take the employee for a drug and/or alcohol test within the timelines outlined in Section D.2 above.

Managers and supervisors will participate in appropriate training on alcohol and drug

abuse evaluation. When based on their direct observation, it is suspected that an employee may have illegal drugs, that manager would perform a written evaluation or request a trained evaluator to complete a written evaluation.

5. Managers and supervisors are responsible for complying with federal grant money including notification sanction associated with drug convictions or use of drugs in the workplace (41. U.S.C. Section 707-717).

G. PROCEDURES TO BE USED FOR DETECTION OF DRUGS AND ALCOHOL

1. Alcohol Testing:

Alcohol testing will be conducted by using an evidential breath device (EBT) approved by the National Highway Traffic Safety Administration. (Non-EBT devices may be used for initial screening tests.)

A screening test will be conducted first. If the result is an alcohol concentration level of less than 0.02, the test is considered a negative test. If the alcohol concentration level is 0.02 or more, a second confirmation test will be conducted. A positive test for alcohol means a confirmed alcohol concentration of 0.08 or more.

The procedures that will be utilized by the collection and testing of the specimen shall be the same as those required under the City of Carpinteria Drug and Alcohol Testing Policy Pursuant To Department of Transportation Regulations (49 CFR 40).

2. Drug Testing:

Drug testing will be considered pursuant to the same requirements as those required by the City of Carpinteria Drug And Alcohol Testing Policy Pursuant To Department Of Transportation Regulations (49 CFR Part 40).

- a. The urine specimen will be split into two (2) bottles labeled as primary” and “split” specimen. Both bottles will be sent to the lab;
- b. A positive test means a test that is positive for controlled substances under the Federal D.O.T. Urine Specimen Testing Levels. If the urinalysis of the primary specimen test positive for the presence of controlled substances, the employee has seventy-two (72) hours to request that the split specimen be analyzed by a different certified lab at the employee’s cost.
- c. The urine sample will be tested for the following: marijuana, cocaine, opiates, amphetamines, and phencyclidine;
- d. If the test is positive for one or more of the drugs, a confirmation test will be

performed using gas chromatography/mass spectrometry analysis;

- e. All drug results will be reviewed and interpreted by a physician before they are reported to the employee and then to the City;
- f. With all positive drug tests, the physician (a.k.a. Medical Review Officer) will first contact the employee to determine if there is an alternative medical explanation for the positive test result. If documentation is provided and the MRO determines that there was legitimate medical use for the prohibited drug, the test result may be reported to the City as “negative.”

3. Confidentiality:

The confidentiality of records shall be maintained in the same manner as set forth in the City of Carpinteria Drug and Alcohol Testing Policy Pursuant to Department Of Transportation Regulations.

H. CONSEQUENCES OF FAILING/REFUSING AN ALCOHOL AND/OR DRUG TEST:

FAILING A PRE-EMPLOYMENT DRUG TEST WILL BE GROUNDS FOR REJECTION FROM EMPLOYMENT.

UPON FAILING A REASONABLE SUSPICION AND/OR POST-ACCIDENT ALCOHOL AND/OR DRUG TEST THE EMPLOYEE:

- 1. Will be removed from driving or operating any heavy or dangerous equipment;
- 2. May be disciplined up to termination. Failing/refusal to take a controlled substances/alcohol test may result in disciplinary action, up to including termination.
- 3. May be allowed to sign a last chance agreement as an alternative to discipline which could require the employee to undergo treatment to cure his/her alcohol or drug abuse and be tested periodically. Generally, an employee who tests positive and has not been found to be using alcohol or drugs on-duty will be offered a last chance agreement. The City does not pay for this examination or any treatment. However, if the exam and/or treatment is covered by the employee’s insurance policy, the employee may use the insurance policy to (help) pay for the covered expenses.
- 4. The employee may use leave bank hours compensatory time hours or leave without pay while undergoing treatment/rehabilitation.
- 5. May not be returned to his/her position until the employee submits to a return-to-duty controlled substances and/or alcohol test (depending on which test the employee failed) which indicates an alcohol concentration level of less than 0.08 or a negative

result on a controlled substances test;

6. May be required to submit to unannounced follow-up testing after he/she has been returned to his/her safety-sensitive position for a period of one year.

J. EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City has established an Employee Assistance Program to help employees who need assistance with alcohol and controlled substance abuse. Employees are encouraged to contact the Human Resources/Risk Manager for the number of the current EAP provider.

APPENDIX C
CITY OF CARPINTERIA
PROHIBITION OF
HARASSMENT, DISCRIMINATION AND RETALIATION
POLICY

A. PURPOSE

It is the City's intent and the purpose of this Policy to provide all employees, officers and officials, applicants, interns, volunteers and contractors with an environment that is free from any form of unlawful harassment, discrimination or retaliation as defined in this Policy and as provided under federal and state law. This Policy prohibits unlawful harassment or discrimination on the basis of any of the following protected classifications: an individual's race, religion, color, sex (which includes gender, pregnancy, childbirth or related medical conditions), gender identity or expression, sexual orientation, national origin, ancestry, citizenship status, military and veteran status, veteran status, marital status, age for individuals over forty years of age, medical condition, physical or mental disability (whether perceived or actual), genetic information, and any other factor made unlawful by federal, state, or local law.

It is also the policy of the City to provide a procedure for investigating and addressing complaints of alleged harassment, discrimination and retaliation in violation of this Policy. The protection from harassment and discrimination includes protection from retaliation against an employee for his or her having taken action either as a complainant, or for assisting a complainant in taking action, participating in an investigation, or for acting as a witness or advocate on behalf of an employee in a legal or other proceeding to obtain a remedy for a breach of this Policy.

B. POLICY

The City has zero tolerance for any conduct that violates this Policy. Conduct need not rise to the level of a violation of law in order to violate this Policy. Instead, a single act can violate this Policy and provide grounds for discipline or other appropriate sanctions. If you are in doubt as to whether or not any particular conduct may violate this Policy, contact a manager, department head, or the Human Resources/Risk Manager, and, if applicable, do not engage in the conduct and seek guidance from a manager, department head or the Human Resources/Risk Manager.

C. DEFINITIONS

a. Protected Classifications:

This Policy prohibits harassment or discrimination because of an individual's protected classification(s). "Protected Classification" includes race, religion, color, sex (which includes gender, pregnancy, childbirth or related medical conditions), gender identity or expression, sexual orientation (including heterosexuality, homosexuality and bisexuality), national origin, ancestry, citizenship status, military status, veteran status, marital status, age, medical condition and physical or mental disability (whether perceived or actual).

b. Policy Coverage:

This Policy prohibits City officials, officers, employees, interns and contractors from harassing or discriminating against applicants, officers, officials, employees, interns and contractors because: (1) of an individual's Protected Classification, (2) of the perception that an individual has a Protected Classification, or (3) the individual associates with a person who has or is perceived to have a Protected Classification. Third parties such as visitors to City Hall are also prohibited from engaging such harassment or discrimination. Any such alleged harassment or discrimination should be reported immediately as provided in this Policy.

c. Discrimination:

This Policy prohibits treating individuals differently or otherwise discriminating against an individual because of the individual's Protected Classification as defined by this Policy.

d. Harassment:

By definition, harassment based on an individual's protected classification as defined by this policy, including sexual harassment, is not within the course and scope of an individual's employment with the City. Harassment includes verbal, physical, and visual conduct that creates an intimidating, offensive or hostile working environment or interferes with work performance. Such conduct constitutes harassment when (1) submission to the conduct is made either an explicit or implicit condition of employment; (2) submission to or rejection of the conduct is used as the basis for an employment decision; or (3) the harassment interferes with an employee's work performance or creates an intimidating, hostile or offensive work environment. Harassing conduct can take many forms and includes, but is not limited to, slurs, jokes, statements, gestures, pictures, or cartoons regarding an employee's Protected Classification. The following are some examples of behavior that can constitute harassment:

a. Verbal harassment, such as epithets (nicknames and slang terms), derogatory or suggestive comments, jokes or slurs, including graphic verbal commentaries about an individual's body, or that identify a person on the basis of his or her Protected Classification. Verbal harassment may include comments on appearance and stories that tend to disparage those of a Protected Classification.

b. Visual forms of harassment, such as derogatory posters, notices, bulletins, cartoons, drawings, sexually suggestive objects, or e-mails on the basis of a Protected Classification.

c. Physical harassment, such as assault, touching, impeding or blocking movement, grabbing, patting, propositioning, leering, making express or implied job related threats in return for submission to physical acts, mimicking, taunting, or any physical interference with normal work or movement.

d. Sexually harassing conduct in particular includes all of these prohibited actions as well as other unwelcome conduct such as requests for sexual favors, unwelcome sexual advances, or verbal or physical conduct of a sexual nature (like name calling, suggestive comments, or lewd talk).

e. Romantic or sexual relationships between supervisors and subordinate employees are discouraged. There can be an inherent imbalance of power and potential for exploitation in such relationships. The relationship may create an appearance of impropriety and lead to charges of favoritism by other employees. A welcome sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing. To avoid possible claims of sexual harassment, if a supervisor or manager intends to enter into a romantic or sexual relationship with a subordinate employee, the supervisor or manager must inform the Human Resources/Risk Manager so that appropriate steps can be taken to minimize the risk of possible claims of sexual harassment.

D. RETALIATION

Retaliation against an employee who reports or provides information in good faith about harassment or discrimination is strictly prohibited, as is retaliation against an employee for his or her having taken action either as a complainant, or for assisting a complainant in taking action, participating in an investigation, or for acting as a witness or advocate on behalf of an employee in a legal or other proceeding to obtain a remedy for a breach of this Policy. Any act of retaliation violates this Policy and will result in appropriate disciplinary action. Examples of actions that might be retaliation against a complainant, witness or other participant in the complaint process include: (1) singling a person out for harsher treatment; (2) lowering a performance evaluation; (3) failing to hire, failing to promote, withholding pay increases, assigning more onerous work, abolishing a position, demotion or discharge; or (4) real or implied threats of intimidation to prevent an individual from reporting harassment or discrimination.

Before a supervisor or manager attempts to insulate or protect a complainant by changing his or her work environment or schedule or duties or by transferring the complainant to another position or location, the supervisor or manager should contact the Human Resources/Risk Manager.

E. REPORTING HARASSMENT, DISCRIMINATION OR RETALIATION

An applicant, employee, officer, official, intern, volunteer or contractor who feels he or she has been harassed, discriminated against or retaliated against in violation of this Policy should report the conduct immediately as outlined below so that the complaint can be resolved quickly and fairly.

All employees involved in the complaint process may be represented by a person of their choosing and at their own expense.

1. Object to the Conduct

Sometimes an individual is unaware that his/her conduct violates this Policy. In these situations the offensive behavior may be eliminated by simply informing the offender that the conduct or language in question is unwelcome and offensive and request that it be discontinued immediately.

A person who believes he/she is being harassed is encouraged, but is not required to use this process. When the conduct in question continues after the offending person has been informed it is offensive, or if a person does not feel comfortable talking to the offending person directly, the employee should make a report in accordance with subsection 2 or 3 below.

2. Oral Report

If a person who believes that this Policy has been violated does not want to first speak with the offending person, he/she should report the conduct to a supervisor, any City management employee, or the Human Resources Manager. Any supervisory or management employee who receives such a report must in turn direct it to the Human Resources/Risk Manager. The Human Resources/Risk Manager will determine what level of investigation and response is necessary.

3. Written Process

An individual who believes this Policy has been violated and does not feel comfortable using the process outlined above may provide a written complaint to a supervisor, or any management employee who in turn must direct the complaint to the Human Resources/Risk Manager, or to the Human Resources/Risk Manager directly. Individuals are encouraged to use the Confidential Complaint Form for this purpose, a copy of which is attached to this Policy.

F. CITY'S RESPONSE TO COMPLAINT OF HARASSMENT, DISCRIMINATION OR RETALIATION

1. Investigation

Upon receipt of a complaint of alleged harassment, discrimination or retaliation, the Human Resources/Risk Manager will be responsible for coordinating a thorough investigation (unless he/she is named in the complaint). The Human Resources/Risk Manager may hire an outside investigator if the City deems appropriate. The type of investigation undertaken, and the party chosen to conduct the investigation will depend on the nature of the complaint made and will be determined by the Human Resources/Risk Manager. The Human Resources/Risk Manager will report the status of investigations to the City Manager as appropriate.

The Human Resources/Risk Manager, in concurrence with the City Manager, may take interim action to diffuse volatile circumstances, such as placing the alleged perpetrator on paid administrative leave or temporarily transferring the alleged perpetrator. Generally, no interim action should be taken to change the complaining individual's working conditions unless the complaining individual voluntarily consents to the temporary change or the Human Resources/Risk Manager determines that doing so is appropriate under the circumstances.

The City attempts to take a proactive approach to potential Policy violations and may conduct an investigation regarding possible harassment, discrimination or retaliation in appropriate circumstances, regardless of whether or not the recipient of the alleged action or a third party reports a potential violation.

At the conclusion of the investigation, if it is determined that the alleged conduct did not occur or that this Policy was not violated, the Human Resources/Risk Manager will notify the complainant and the alleged perpetrator, if appropriate, of the general conclusion(s) of the investigation and whether any further action is warranted.

2. Remedial and Disciplinary Action

If the investigation determines that the alleged conduct occurred or that the conduct otherwise violated this Policy, the City will notify the complainant and perpetrator of the general conclusion(s) of the investigation and take effective remedial action that is designed to discipline the perpetrator and deter future violations of this Policy. Any employee or officer determined to have violated this Policy will be subject to disciplinary action, up to and including termination. Disciplinary action may also be taken against any official, supervisor or manager who condones or fails to report potential violations of this Policy, or who otherwise fails to take appropriate action to enforce this Policy.

Any official contractor or other non-City employee found to have violated this Policy will be subject to appropriate sanctions.

3. Confidentiality

Every reasonable effort will be made to assure the confidentiality of complaints made under this Policy. Complete confidentiality cannot occur, however, due to the need to fully investigate potential Policy violations and take effective remedial action.

G. RESPONSIBILITIES OF EMPLOYEES, MANAGEMENT AND SUPERVISORY EMPLOYEES

1. Employees

In order to establish and maintain a professional working environment, while at the same time preventing harassment, discrimination, and retaliation, employees are expected to:

- Set an example of acceptable conduct by not participating in or provoking behavior that violates this Policy. Try not to be angry or insulted if an individual tells you that your behavior is offensive. People have different ethical values and standards and may be offended by behavior you think is proper. When appropriate, tell the individual you did not realize your behavior was offensive, and immediately cease the conduct.

- Let fellow employees know when you consider behavior offensive. The City hires people from a wide variety of cultural and ethnic backgrounds, and an individual may not realize behavior he or she thinks is proper could be seen by others as offensive.
- Report harassment, discrimination or retaliation as quickly as possible, whether the reporting employee is the target of the conduct or a witness.
- If an employee witness's harassment, he or she should report it to a supervisor, manager or the Human Resources Manager, and may tell the individual being harassed that the City has a policy prohibiting such behavior, and that he or she can demand that the harasser cease the behavior or report is under this Policy.
- Fully cooperate with the City's investigation of complaints made under this Policy.

2. Managers and Supervisors

In addition to the responsibilities listed above, managers and supervisors are responsible for the following:

- Implementing this Policy by taking all complaints seriously and modeling behavior that is consistent with this Policy. Direct all complaints to the Human Resources Administrator.
- Take positive steps to eliminate any form of harassment, discrimination or retaliation observed or brought to his/her attention.
- No department director, manager, supervisor or other employee may retaliate through any action of intimidation, restraint, coercion or discrimination.
- Monitoring the work environment and taking appropriate action to stop potential Policy violations.
- When appropriate, follow up with those who have complained to ensure the behavior complained of has ceased.

H. Option to Report to Outside Administrative Agencies

Sexual harassment and retaliation for opposing sexual harassment or participating in investigations of sexual harassment are illegal. In addition to notifying the Company about harassment or retaliation complaints, affected employees may also direct their complaints to the California Department of Fair Employment and Housing (DFEH), which has the authority to conduct investigations of the facts. The deadline for filing complaints with the DFEH is one (1) year from the date of the alleged unlawful conduct. If the DFEH believes that a complaint is valid and settlement efforts fail, the DFEH may seek an administrative hearing before the California Fair Employment and Housing Council (FEHC) or file a lawsuit in court. Both the FEHC and the

courts have the authority to award monetary and non-monetary relief in meritorious cases. You can contact the nearest DFEH office or the FEHC at the locations listed in the City's DFEH poster or by checking the state government listings in the local telephone directory.

APPENDIX D RETURN TO WORK POLICY

Purpose

The purpose of this policy is to establish guidelines that the City may follow, should an employee have an extended absence due to illness or injury.

The City strives to assist employees to return to work at the earliest possible date following an injury or illness. However, this policy is not intended to supersede or modify the procedures applicable to employees eligible for reasonable accommodation or covered under leave provisions under the terms of this MOU or federal or state law.

The City cannot guarantee a transitional position and is under no obligation to offer, create or encumber any specific position for purposes of offering placement to such a position.

Inquiries about the reasonable accommodation for disabilities or employee leave rights should be directed to the Human Resources Department (HR).

Transitional Work

The City defines "transitional work" as temporary, light duty and/or modified work assignments within the employee's physical abilities, knowledge and skills.

When possible, in the discretion of the City, transitional positions will be made available to injured workers to minimize or eliminate time lost from work.

The policy only applies to regular full- and part-time employees who are on leave as a result of injury or illness.

In the event an employee refuses transitional work (outside the qualified employee's FMLA/CFRA benefits period) and the employee satisfies the restrictions and ability to perform the transitional position, the City is not obligated to provide an alternative position. In such cases, the City will notify the insurance carrier of the employee's refusal of the transitional work.

Procedures

To obtain a transitional assignment the employee must provide a statement from the employee's treating health care professional containing the following information:

- a) That treating health care professional has reviewed the employee's job description;
- b) That the employee cannot perform all of the essential functions of her/his job, identifying which essential functions cannot be performed;

- c) When the employee will be able to resume performing all essential functions of her/his job, with or without accommodation, and if accommodation will be required, the nature of that accommodation;
- d) If the treating health care practitioner cannot determine when the employee will be able to resume performing all essential functions of her/his job, when the employee will next be evaluated for that purpose;
- e) In addition, all other work limitations, such as restrictions on lifting, standing, sitting, walking, hours that can be worked and the like, so that the nature of possible transitional employment can be evaluated, and how long each of those limitations will be in place; and
- f) Any other limitation of the employee's ability to perform work for the City in a transitional position

If the treating health care provider provides the above information to the satisfaction of the City, and releases the employee to return to work on modified duty the City will review the information to determine if a transitional position for the employee is appropriate and transitional work falls within City business needs. Transitional positions are developed based on the physical capability of the worker, the business needs of the City and the availability of transitional work. The City will determine appropriate work hours, shifts, duration and locations of all work assignments. The City reserves the right in its sole discretion to determine the availability, appropriateness and continuation of all transitional work assignments. The assignment to a transitional position cannot exceed 6 months.

If the employee is offered a transitional position, a transitional position job description, including physical requirements, will be prepared for review and approval by the treating health care provider. Once approved, the employee will be provided a letter noting the treating health care provider's approval and the start date, hours, wage, duration and location of the transitional work assignment. The employee will be asked to sign the letter indicating his or her acceptance or refusal of the transitional work job offer and to return the letter to HR.

Any employee returning to a transitional position must not exceed the duties of the position or go beyond the doctor's restrictions. If any medical restrictions change, the employee must immediately notify his or her supervisor and provide the supervisor a copy of the new medical release. If, in the judgment of the City, the employee is unable to satisfactorily perform the duties of the transitional position, the City may end the employee's transitional work assignment. The City will keep its insurance carriers apprised of relevant information related to the provisions of this section and its application to employees.

EMPLOYEE RESPONSIBILITY

- Employees will be required to acknowledge that they have read, understand and will abide by the agency's technology policy. Violation of the policy may result in discipline, up to and including dismissal.

- To the extent that, under some circumstance, an employee is allowed to use e-mail for personal purposes the employee does so at his or her own risk. Employees should be aware that deletion of a message or file may not fully eliminate the message from the system.
- Employees learning of any misuse of the voice-mail, e-mail or other computer system or violations of this policy shall immediately notify the City Manager or his/her designee.

MANAGEMENT RESPONSIBILITIES AND GUIDELINES

Management and supervisors are responsible for reasonable enforcement of this policy. Any e-mail information or messages revealed or disclosed under this policy are considered to be of a confidential nature.

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ATTACHMENT B

Red line Conditions of Employment for Miscellaneous Unrepresented Employees

**CITY OF CARPINTERIA
CONDITIONS OF EMPLOYMENT
FOR MISCELLENOUS UNREPRESENTED PERSONNEL**

EFFECTIVE ~~JULY 1, 2022~~ JULY 1, 2023

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MISCELLANEOUS EMPLOYEE CLASSIFICATION AND COMPENSATION

EFFECTIVE JULY 1, 2022

SECTION 1 CLASSIFICATION

Miscellaneous Unrepresented ~~Employees~~ Personnel for the purpose of these Conditions of Employment (COE) will include full-time positions not classified as management personnel nor represented by SEIU Local 620.

Titles and salary bands for all classifications of employment designated as Miscellaneous Unrepresented Personnel are set forth by resolution approved by the City Council.

Position	Department	Grade
Associate Planner	Community Development	12
Management Analyst I/II	Public Works & Parks, Recreation and Public Facilities	9
Accounting Technician	Administration Services	9
Engineering Technician	Public Works	9
Code Compliance Officer II	Community Development	8
Management Assistant	Parks, Recreation & Public Facilities	7
Accounting Specialist	Administration Services	5
Aquatics Program Coordinator	Parks, Recreation & Public Facilities	5

- ~~Under Ordinance# 559, the positions of Management Assistant and Associate Planner are included in the list of positions that are classified as "at will" employees serving at the pleasure of the City Manager and exempt from the City Personnel rules. Accordingly, an employee serving in this capacity is free to resign from his/her position any time, with or without cause, upon oral or written notice to the City Manager, and similarly, the City may end the employment relationship or change the status (i.e., modify the position, implement a demotion, adjust wages, etc.) at any time, with or without cause, upon oral or written notice to the employee".~~

1.1 EMPLOYER/EMPLOYEE RELATIONSHIP:

Employees in this category are full-time employees. None of the positions are exempt from overtime requirements of the Federal Fair Labor Standards Act and, as with other non-exempt employees, all overtime must be authorized in advance (unless in emergency) by the affected employee's department head.

1.2 PERSONNEL RULES:

"Regular," "full-time" and "part-time" employees are defined in the Personnel Rules, and those definitions are adopted for use in these Conditions of Employment as well. The City intends to continue to review and develop revised personnel rules, regulations, and grievance procedures, employee handbook, job classifications and job descriptions.

SECTION 2 WORK SCHEDULE

2.1 REPORTING:

Miscellaneous unrepresented employees are classified as hourly and non-exempt employees. All miscellaneous employees for the City of Carpinteria are required to accurately report hours worked on daily time sheets.

2.2 FLEXTIME SCHEDULING:

Employees may have the option to participate in an alternate 9/80 work schedule based on a flexible 9 day/80 hour pay period (eight 9-hour days and one 8-hour day). Each employee electing to participate in flextime scheduling must select a Monday or Friday as their designated flex day off, the alternate Monday or Friday will be their 8-hour day. The daily work schedule for the nine hour days will begin at 7:30 a.m. and end at 5:30 p.m. with a one hour lunch; the daily work schedule for the eight hour day will begin at 8:00 a.m. and end at 5:00 p.m., with a one hour lunch.

Individuals may request flexible work schedules which meet their personal needs, however, the flex day selected is subject to the operational needs and requirements of the department as determined by the City Manager. Human Resources and Payroll must be advised, in writing, of the selected day and any change from the established flex day, must be requested in advance and approved by the Department Head and the City Manager.

The program will be evaluated on an on-going basis regarding personal performance standards, as well as monitoring staffing needs to ensure that the public is being appropriately served. Continuation of such schedules shall be subject to review and approval of the City Manager.

The City Manager reserves the right to remove any (or all) employees from flexible work schedules. To the extent possible, two weeks advance written notice will be provided to the employee. An employee shall not be removed from a flexible work schedule for arbitrary or capricious reasons.

SECTION 3 COMPENSATION AND BENEFITS

3.1 PAY STATUS:

An affected employee is considered to be in pay status and eligible for benefits under any of the following circumstances:

- (1) While working regular hours

- (2) While on authorized PTO Leave Bank hours
- (3) While on authorized Injured on Duty (10D) status
- (4) While on authorized jury duty
- (5) While on Compensatory time off

The City Manager may authorize coverage of benefits on an individual basis for employees on authorized leave without pay for a period of up to four (4) months when it is deemed appropriate or is otherwise required by law.

3.2 METHOD OF PAYMENT:

Employees shall be paid on a bi-weekly basis and pay checks will be available on the Thursday afternoon following the close of the regular pay period unless holidays or circumstances beyond the control of the City occur in which case all necessary action will be taken to insure that individual pay checks are available with a minimum of delay.

Employees are encouraged to take advantage of direct deposit of payroll checks. Upon request, payroll checks may be directly deposited to an employee's checking or savings account.

3.3 BASE WAGE ADJUSTMENT:

- A. Effective the first full pay period after July 1, Miscellaneous Unrepresented Personnel, -the affected employees listed in Section 1, (Classification), may be eligible to shall have their base wages adjusted pursuant to the results of an annual performance-based employee evaluation. The evaluation format shall be determined by the City Manager or their designee.

—The review shall include a Performance Rating of one of five categories:

- Unacceptable
- Needs Improvement;
- Contributor
- Valued Performer
- High Performer

- B. Newly hired employees and promoted employees will have a 12-month performance-based evaluation on their one-year anniversary from date of hire or promotion and may receive a base wage adjustment pursuant to the results of the evaluation and within the position salary range of the classification. Thereafter, an employee shall be moved to a July 1 annual Performance Evaluation period, including pro-ration of any salary adjustment if appropriate, per the following table:

<u>EMPLOYMENT OR PROMOTION DATE*</u>	<u>1ST YEAR PRO-RATION OF ELIGIBLE INCREASE</u>
<u>July</u>	<u>100.00%</u>
<u>August</u>	<u>91.67%</u>

<u>September</u>	<u>88.33%</u>
<u>October</u>	<u>75.00%</u>
<u>November</u>	<u>66.67%</u>
<u>December</u>	<u>50.00%</u>
<u>January</u>	<u>58.33%</u>
<u>February</u>	<u>41.67%</u>
<u>March</u>	<u>33.33%</u>
<u>April</u>	<u>25.00%</u>
<u>May</u>	<u>16.67%</u>
<u>June</u>	<u>8.33%</u>

*If employment or promotion date is on or after the 15th of the month, the following month's proration amount shall be applied.

C. The result of the Performance Rating shall be used by the City Manager to determine the appropriate ~~range of~~ increase to the base wage as illustrated in the Merit Increase Matrix. ~~The exact increase within the range provided for in the Matrix shall be determined by the City Manager.~~

MERIT INCREASE MATRIX

	<u>Salary Relative to Position Control Point</u>		
	<u>84.2105%</u> <u>to</u> <u>94.7368%</u>	<u>94.7369%</u> <u>to</u> <u>105.2632%</u>	<u>105.2633%</u> <u>to</u> <u>115.7895%</u>
<u>Rating</u>			
<u>4.6 and Above</u>	<u>8.0000%</u>	<u>7.0000%</u>	<u>6.0000%</u>
<u>4.4</u>	<u>7.5000%</u>	<u>6.5000%</u>	<u>5.5000%</u>
<u>4.2</u>	<u>7.0000%</u>	<u>6.0000%</u>	<u>5.0000%</u>
<u>4.0</u>	<u>6.5000%</u>	<u>5.5000%</u>	<u>4.5000%</u>
<u>3.8</u>	<u>6.0000%</u>	<u>5.0000%</u>	<u>4.0000%</u>
<u>3.6</u>	<u>5.5000%</u>	<u>4.5000%</u>	<u>3.5000%</u>
<u>3.4</u>	<u>5.0000%</u>	<u>4.0000%</u>	<u>3.0000%</u>
<u>3.2</u>	<u>4.5000%</u>	<u>3.5000%</u>	<u>2.5000%</u>
<u>3.0</u>	<u>4.0000%</u>	<u>3.0000%</u>	<u>2.0000%</u>
<u>Less than 3.0</u>	<u>0.0000%</u>	<u>0.0000%</u>	<u>0.0000%</u>

D. All wage increases are subject to availability of funds as authorized by City Council. ~~Should fiscal constraints limit full funding of wage increases, all authorized base wage increases shall be reduced by an equal percentage.~~

		Position and Range		
		Lower Third Min to 90% of CP	Middle Third 90.1% of CP to CP	Upper Third CP to Maximum
Performance Rating	High Performer	11 ½to 12 ½%	10 to 11%	9 ½ or to Range Max
	Valued Performer	8 ½to 9 ½%	7 ½ to 8%	6 ½ to 7% or to Range Max
	Contributor	5 ½to 6%	4to 5%	0
	Needs Improvement	0	0	0
	Unacceptable	0	0	0

3.4 DEFERRED COMPENSATION PROGRAM:

A deferred compensation plan will be available to miscellaneous unrepresented employees with participation on a voluntary basis.

3.5 STATE DISABILITY INSURANCE:

The City participates in the State Disability Insurance Program, at employee expense, to provide coverage for non-industrial injuries.

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ATTACHMENT C

Resolution No. 6264

RESOLUTION NO. 6264

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CARPINTERIA APPROVING AND ADOPTING REVISIONS TO THE
CONDITIONS OF EMPLOYMENT FOR MANAGEMENT PERSONNEL**

WHEREAS, the City of Carpinteria City Council recognizes that the Conditions of Employment for Management personnel should be addressed separately from classified employees covered under the Memorandum of Understanding (MOU) between the City of Carpinteria and the Service Employees International Union (SEIU) Local 620; and

WHEREAS, the Carpinteria City Council wishes to update the Conditions of Employment for Management Personnel adopted on April 10, 2023, to incorporate language changes in Sections 1, 3.3A, 3.3B, and 3.3C, including a process for the proration of merit increases for newly hired employees and promoted employees and a revision of the Merit Increase Matrix; and

WHEREAS, it is the desire of the City Council to amend the Conditions of Employment for Management Personnel, effective July 1, 2023.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The above recitals are true and correct, and incorporated herein by reference.

SECTION 2. The amended Conditions of Employment for Management Personnel, attached hereto as Exhibit 1, effective July 1, 2023, is hereby approved and implementation by the City Manager is authorized.

SECTION 2. The said Conditions of Employment shall remain effective through June 30, 2023.

PASSED, APPROVED AND ADOPTED on the 24th day of July, 2023, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

Mayor, City of Carpinteria

ATTEST:

Brian C. Barrett, CMC, CPMC
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 July 24, 2023.

Brian C. Barrett, CMC, CPMC
City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria

**CITY OF CARPINTERIA
CONDITIONS OF EMPLOYMENT
FOR MANAGEMENT PERSONNEL**

EFFECTIVE JULY 1, 2023

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SECTION 1 CLASSIFICATION

Management Personnel for purposes of this Agreement, will include those employees in the following classifications: Management, Mid-Management and/or Supervisory and Professional.

Titles and salary bands for all classifications of employment designated as Management Personnel are set forth by resolution approved by the City Council.

1.1 EMPLOYER/EMPLOYEE RELATIONSHIP:

An employee in this classification is classified as a salaried, at-will employee and not hired for any specified term. Accordingly, the employee is free to resign from their position at any time, with or without cause, upon oral or written notice to the City Manager and, similarly, the City may end its employment relationship with the employee or change their status (i.e., modify the position, implement a demotion, adjust wages, etc.) at any time, with or without cause, upon oral or written notice to the employee. None of the provisions of the Conditions of Employment for Management Personnel are intended to modify this employment relationship.

1.2 PERSONNEL RULES:

Employees serving in Management, Mid-management, Supervisory and Professional positions are exempt from the City's Personnel Rules. They are "at-will" employees, serving at the pleasure of the City Manager. By the executive, administrative and/or technical nature of their positions, they have been determined to be exempt from the overtime requirements of the Federal Fair Labor Standards Act.

SECTION 2 WORK SCHEDULE

2.1 REPORTING:

Management Employees are classified as salaried employees. All employees for the City of Carpinteria are required to report hours worked on a daily time sheet; however, as salary-status employees, tracking of hours for this category of employees is for internal use only and does not affect the salary of exempt employees.

2.2 FLEXTIME SCHEDULING:

While Management Employees are required to work the hours necessary to perform the job duties and responsibilities, employees may have the option to participate in an alternate 9/80 work schedule based on a flexible 9 day/80 hour pay period (eight 9-hour days and one 8-hour day) for general work scheduling purposes. Each employee electing to participate in flextime scheduling must select a Monday or Friday as their designated flex day off, the alternate Monday or Friday will be their 8-hour day. The daily work schedule will begin at 7:30 a.m. and end at 5:30 p.m.

The flexible work schedule and flex day selected is subject to the operational needs and requirements of the department as determined by the City Manager. Management Employees may be required or find it necessary to work additional hours outside their flexible schedule. For scheduling purposes, any change from the established flex day, must be approved in advance by the City Manager.

The program will be evaluated on an on-going basis regarding personal performance standards, as well as monitoring staffing needs to ensure that the public is being appropriately served. Continuation of such schedules shall be subject to review and approval of the City Manager.

The City Manager reserves the right to remove any (or all) employees from flexible work schedules. To the extent possible, two weeks advance written notice will be provided to the employee. An employee shall not be removed from a flexible work schedule for arbitrary or capricious reasons.

2.3 FLEXIBLE HOURS:

Compensatory hours will not be granted for hours worked in excess of regularly scheduled hours for this category of employees, however, Management Employees, although exempt from the overtime requirements of FLSA, may accrue flex hours for hours worked beyond their regularly scheduled work day.

Hours worked in excess of a regularly scheduled work day, i.e., eight 9- hour days and one 8- hour day in a pay period for Management Employees on a 9/80 flex schedule, will be recorded on a computerized time sheet as accrued flex hours. For Management Employees on a 10/80 schedule, hours worked in excess of an 8-hour day will be recorded as "hours accrued". Flex hours accrued do not have a cash-out value, and Management Employees will not receive compensation for unused accrued flex hours at the time of separation from employment.

2.4 ABSENCES:

Management Employees may use accrued flex hours instead of their accrued leave back for absences of less than a full day, if the employee has worked a minimum of two hours and has approval of the City Manager to be absent.

2.5 LEAVE:

Any absence of one day or more, for other than City business, will be appropriately recorded and deducted from the employee's leave bank or accrued flex flextime hours. With prior approval from the City Manager, in addition to a regularly scheduled flex day, a management employee participating in the 9/80 alternate flextime scheduling may take one additional flex day off within a given pay period if there are sufficient accrued flex hours to cover the time.

2.6 CARRY OVER OF FLEXTIME HOURS:

A maximum of forty (40) flextime hours may be carried forward from one fiscal year to the next. Effective the first full pay period in July, adjustments on accrued flex hours will be made. Anything less than forty (40) hours and negative balances will be carried forward as they appear on the last full pay period in June.

SECTION 3 COMPENSATION AND BENEFITS

3.1 PAY STATUS:

A Management Employee is considered to be in pay status and eligible for benefits under any of the following circumstances:

- (1) While working regular hours
- (2) While on authorized Leave Bank hours
- (3) While on authorized Injured on Duty (IOD) status
- (4) While on authorized jury duty
- (5) While on flex hours

The City Manager may authorize coverage of benefits on an individual basis for employees on authorized leave without pay for a period of up to four (4) months when it is deemed appropriate or is otherwise required by law.

3.2 METHOD OF PAYMENT:

Employees shall be paid on a bi-weekly basis and pay checks will be available on the Thursday afternoon following the close of the regular pay period unless holidays or circumstances beyond the control of the City occur in which case all necessary action will be taken to insure that individual pay checks are available with a minimum of delay.

Employees are encouraged to take advantage of direct deposit of payroll checks. Upon request, payroll checks may be directly deposited to an employee's checking or savings account.

3.3 BASE WAGE ADJUSTMENT:

- A. Effective the first full pay period after July 1, Management Personnel, may be eligible to have their base wages adjusted pursuant to the results of an annual performance-based employee evaluation. The evaluation format shall be determined by the City Manager or their designee.
- B. Newly hired employees and promoted employees will have a 12-month performance-based evaluation on their one-year anniversary from date of hire or promotion and may receive a base wage adjustment pursuant to the results of the evaluation and within the position salary range of the classification. Thereafter, an employee shall be moved to a July 1 annual Performance Evaluation period, including pro-ration of any salary adjustment if appropriate, per the following table:

EMPLOYMENT OR PROMOTION DATE*	1 st YEAR PRO-RATION OF ELIGIBLE INCREASE
July	100.00%
August	91.67%
September	88.33%
October	75.00%
November	66.67%
December	50.00%
January	58.33%
February	41.67%
March	33.33%
April	25.00%
May	16.67%
June	8.33%

*If employment or promotion date is on or after the 15th of the month, the following month's proration amount shall be applied.

- C. The result of the Performance Rating shall be used by the City Manager to determine the appropriate range of increase to the base wage as illustrated in the Merit Increase Matrix. The exact increase within the range provided for in the Matrix shall be determined by the City Manager.

MERIT INCREASE MATRIX

Rating	Salary Relative to Position Control Point		
	84.2105% to 94.7368%	94.7369% to 105.2632%	105.2633% to 115.7895%
4.6 and Above	8.0000%	7.0000%	6.0000%
4.4	7.5000%	6.5000%	5.5000%
4.2	7.0000%	6.0000%	5.0000%
4.0	6.5000%	5.5000%	4.5000%
3.8	6.0000%	5.0000%	4.0000%
3.6	5.5000%	4.5000%	3.5000%
3.4	5.0000%	4.0000%	3.0000%
3.2	4.5000%	3.5000%	2.5000%
3.0	4.0000%	3.0000%	2.0000%
Less than 3.0	0.0000%	0.0000%	0.0000%

- D. All wage increases are subject to availability of funds as authorized by City Council.

3.4 DEFERRED COMPENSATION PROGRAM:

A deferred compensation plan will be available to Management Employees with participation on a voluntary basis.

3.5 STATE DISABILITY INSURANCE:

The City participates in the State Disability Insurance Program to provide coverage for non-industrial injuries. As a benefit, the City reimburses Management Employees in this classification for payroll deductions made on base salary for State Disability Insurance.

3.6 SHORT-TERM/LONG TERM DISABILITY PROGRAM:

In addition to coverage under the State Disability Insurance Program, the City provides eligible full-time employees with additional short-term disability coverage to integrate with SDI for a weekly benefit of 60% of covered earnings and a long-term disability program to provide a monthly benefit of 66 2/3% of covered earnings. This program will be at the expense of the City.

3.7 FICA MEDICARE TAX:

All employees hired after April 1986 are subject to FICA Medicare taxes in accordance with Federal regulations. The City will reimburse the Management Employees for payroll deductions made on base salary for FICA Medicare Tax.

3.8 SPECIAL PAY:

Pursuant to Section 3.6 and 3.8, reimbursement equal to the payroll deduction for the employee's annual cost for SDI and/or FICA Medicare tax will be pro-rated over the twenty-six (26) payroll periods and paid to the employee on the regular bi-weekly payroll check as "Special Pay".

3.9 OUTSTANDING OBLIGATIONS UPON TERMINATION:

If any Management Employee has any outstanding obligations due to the City, such as advance use of any benefits or lost or damaged equipment, at the time of termination, the employee will be requested to reimburse the City for any such advanced amount.

3.10 CAL PERS RETIREMENT:

The City provides retirement benefits through the California Public Retirement System pursuant to Section 7.

3.11 HEALTH, DENTAL AND WELLNESS PROGRAM:

The City provides health, dental and wellness benefits pursuant to Section 8.

SECTION 4 LEAVE REGULATIONS

4.1 ANNUAL LEAVE:

Annual leave for full-time Management Employees is inclusive of all leave benefits (vacation, sick, floating holidays, paid administrative leave and approved paid personal leave), and can be used for vacations, personal time off, sick leave purposes and other time away from work consistent with the terms of this section. The use of annual leave for "Sick Leave Purposes" means 1) time off to diagnose, care, or treat an existing health condition, or for preventative care for the employee or for the employee's child, spouse, domestic partner, parent, parent of employee's spouse or domestic partner, grandparent, grandchild, or sibling; and 2) time off for employees who are victims of domestic violence, sexual assault, or stalking may also use annual leave to seek medical attention, obtain services from a shelter or crisis center, obtain counseling, or go to court.

Employees covered in this Conditions of Employment, who have served less than thirty (30) days within a year of the commencement of employment in the service of the City are not eligible for annual leave. However, leave credits for the time will accrue for each such regular full-time employee.

4.2 ANNUAL LEAVE BANK:

In place of separate leave accrual for vacation, sick leave, paid administrative leave and floating holidays, each employee will accrue leave in a Leave Bank that will be inclusive of all such leave benefits (vacation, sick, floating holidays, paid administrative leave and approved paid personal leave).

4.3 LEAVE ACCRUAL:

At the beginning of each fiscal year eligible employees will receive a leave bank equal to one-half his/her annual leave entitlement; employees will receive the remaining one-half of his/her leave entitlement in the first full pay period in January.

Employee's annual leave entitlement for his/her first year of employment shall be based on the number of full months that employee will work for the City prior to the July 1 following their date of hire. For example, if an eligible employee's first day of employment is December 15, her/his annual leave entitlement for their year of employment will be 50% of 144 hours, which equals 72 hours. However, the amount of the leave bank entitled for the first year of employment will not be less than twenty-four (24) hours or three (3) days, whichever is greater. The first year amount of annual leave will be credited to the employee's leave bank after the employee completes thirty (30) days of employment in the service of the City. The amount of annual leave credited to the employee's leave bank for their first year of employment will not be subject to the maximum leave bank accumulation as provided in section 4.8.

Effective the July 1 following the employee's date of hire, and every July 1 thereafter, employees will receive a leave bank equal to his/her annual leave entitlement.

In the event one or more municipal holidays fall within an authorized leave with pay, such holidays shall not be charged as leave, and the leave shall be extended accordingly.

Accrued leave time can be taken off prior to the date of retirement and used to delay final date of employment if it is requested in writing and approved at least thirty (30) days prior to the scheduled date that such leave would begin.

4.4 LEAVE BANK SCHEDULE:

(Days on leave bank schedule are figured as eight (8) hour days)

MANAGEMENT EMPLOYEES SERVING AS DEPARTMENT HEADS

(Accrual includes 48 hours of administrative leave)

<u>Years of service</u>	<u>Total Accrual</u>	
0 through three	192 hours	(24 days)
Four through six	208 hours	(26 days)
Seven through ten	232 hours	(29 days)
Eleven	240 hours	(30 days)
Twelve	248 hours	(31 days)
Thirteen through fifteen	256 hours	(32 days)
Sixteen through eighteen	272 hours	(34 days)
Nineteen or more	280 hours	(35 days)
Thirty year service award	304 hours	(38 days)

MANAGEMENT, MID-MANAGEMENT, SUPERVISORY AND PROFESSIONAL EMPLOYEES

(Accrual includes 40 hours of administrative leave)

<u>Years of Service</u>	<u>Total Accrual</u>	
0 through three	184 hours	(23 days)
Four through six	200 hours	(25 days)
Seven through ten	224 hours	(28 days)
Eleven	232 hours	(29 days)
Twelve	240 hours	(30 days)
Thirteen through fifteen	248 hours	(31 days)
Sixteen through eighteen	264 hours	(33 days)
Nineteen or more	272 hours	(34 days)
Thirty year service award	296 hours	(37 days)

4.5 LEAVE ELIGIBILITY:

Employees are eligible to use annual leave benefits on their ninetieth (90th) day of employment.

4.6 NOTIFICATION FOR USE OF LEAVE BANK:

Except for annual leave used for Sick Leave Purposes, in cases of emergency or when the need to use leave time is not otherwise reasonably foreseeable, notification for use of leave bank hours will be as follows:

Employees are required to make written requests through the appropriate supervisory channels for the use of accrued leave time. The written request shall be submitted at least two (2) full working days in advance for leave requests of up to four (4) working days; for leave requests of five (5) working days or more, the written request shall be submitted at least ten (10) working days, but not earlier than ninety (90) calendar days, prior to the beginning date of the requested leave. No use of accrued leave time or related absence is authorized until the employee's written request is approved in writing.

Leave periods shall be scheduled by management to provide adequate staffing. Such scheduling shall be subject to the needs of the City but shall take into account employee seniority and personal preference. The City will make every effort to give maximum possible advance notice to the affected employee in the event scheduled leave must be cancelled or modified due to the needs of the service.

Where use of accrued leave time is requested for Sick Leave Purposes, in cases of emergency or when the need to use leave time is not otherwise reasonably foreseeable, notification for use of leave bank hours will be as follows:

Where the need to use annual leave for Sick Leave Purposes is foreseeable, employees must provide reasonable advance notice, orally or in writing, to their supervisor or Human Resources. If the request for the use of five (5) or more days of leave time is related to plan medical treatment, when possible the employee should make the request for use of leave time at least ten (10) working days in advance. When the need to use annual leave for Sick Leave Purposes is not foreseeable, is being used in cases of emergency or when the need to use leave time is not otherwise reasonably foreseeable, employees are required to notify their supervisor or Human Resources, orally or in writing, as soon as practicable.

4.7 UNAUTHORIZED LEAVE

An employee's absence shall be unauthorized if the employee does not report his or her absence to his or her supervisor or Human Resources as required under section 4.6.

4.8 LEAVE BANK ACCUMULATION

A maximum of one hundred and sixty hours (20 days) of leave accrual will be the maximum allowed for carry-over at the end of a fiscal year, provided however, if at the end of year there are any leave bank hours over 160, the hours will be carried over and a commensurate number of hours shall be deducted from the employee's annual accrual in order that the maximum leave bank accrual not exceed an employee's annual accrual plus 120 hours.

4.9 LEAVE BANK CASH-OUT/OPTIONS

1. During the month of December, an employee may elect to convert up to eighty (80) hours of any unused leave hours accrued or contribute the value of the cash payment to their existing 457 plan up to the legally allowed maximum and with proper notice, provided the employee retains an accrued leave balance of at least forty (40) hours in

their leave bank. Compensation for such cash-out of unused accrued leave hours will be based on the employee's existing salary at the time the request is made. In order to cash-out unused leave hours, an employee must make an irrevocable election (i.e., pre-designation) during the month of December, specifying the total number of hours to be cashed-out from next year's leave accrual. During the calendar year following the pre-designation, an employee may choose an increment to cash out in April and/or July. If no cash-out occurs in April and/or July and/or any balance of the pre-designated amount remains, said amount will be cashed out in December. If the employee does not have the vacation hours available to satisfy the amount pre-designated for the cash-out, the employee will be precluded from making an irrevocable election and cashing-out the following calendar year.

2. Further, each employee may direct that all or any portion of the allowed cash-out amount be used to buy benefits offered under the Flexible Benefit Program.

4.10 TREATMENT OF ACCRUED LEAVE UPON TERMINATION

At the time of termination of employment, employees shall be paid the cash value of all unused accrued leave hours based on the employee's then existing salary rate; or, in the alternative, the employee may exercise the option to invest the cash value of such unused accrued leave hours in the Employee Flexible benefit Program.

If a retiring employee terminates employment during the year and is legally entitled to a distribution of unused leave, the employee may submit, in writing, his or her request for the City to "hold" payment of his or her accumulated leave until the following year. Such request must be submitted in writing in advance of the date of retirement and requires written approval by the City Manager before any disbursement can be made.

4.11 TREATMENT OF ACCRUED LEAVE UPON RETIREMENT:

Unused leave time can be taken off prior to retirement date and used to delay the final date of employment if requested in writing and approved at least 30 days prior to the scheduled date that such leave would begin.

If a retiring employee terminates employment during the year and is legally entitled to a distribution of unused leave, the employee may submit, in writing, a request for the agency to "hold" payment of pro-rated accumulated leave until the following year. Such request must be submitted in writing prior to date of retirement and requires written approval by the City Manager before any disbursement can be made.

4.12 CATASTROPHIC EVENT:

In the event an employee in this group suffers a catastrophic event, e.g. serious illness, and there is not a sufficient leave balance to cover the employee's absence from the workplace, upon written request to the City Manager, an advancement of up to thirty (30) days of leave may be granted, with the understanding that it will be reimbursed to the City on a day-for-day basis from future

allocated leave or reimbursed to the City as outlined under Section 3.6 Outstanding Obligations Upon Termination.

4.13 UNPAID LEAVE:

Leave of Absence Without Pay

The City Manager may grant a regular or probationary employee leave of absence without pay or accrual of employment benefits, such as paid time off or seniority, for reasons other than pregnancy, disability or family care leave, for a period not to exceed ninety (90) days. No employee shall be authorized leave without pay if said employee has accrued leave or compensatory time-off accrued on the books of the City. After ninety (90) days, the leave of absence may be extended if authorized by the City Council.

No such leave shall be granted except upon written request of the employee, setting forth the reason for the request, and the approval will be in writing. Upon return to duty following expiration of a regularly approved leave, the employee shall be reinstated in the position held at the time leave was granted. Failure on the part of the employee on leave to report promptly at its expiration shall be cause for discharge. The depositing in the United States mail of a first-class letter postage paid, addressed to the employee's last known place of address shall be reasonable notice.

Department heads may grant a regular, or probationary employee leave of absence without pay for not to exceed one (1) calendar week. If the leave of absence request without pay is in relation to an employee's disability accommodation, then the leave shall be determined through the interactive process on a case-by-case basis. Such leaves shall be reported to the Human Resources/Risk Manager.

No leave shall accrue to any employee during any full biweekly pay period in which the employee is on an authorized leave without pay in excess of five (5) days. Employee on leave without pay may also be responsible for full payment (employer and employee portion) of insurance premiums for insurance coverage during such leave. Benefits shall be continued at City expense during the first thirty (30) days of such leave.

Statutory Family and Medical Leave

1. Eligibility

The City provides eligible employees the opportunity to take unpaid leaves of absence for specific reasons in accordance with California's Family Rights Act (CFRA) and the federal Family and Medical Leave Act (FMLA). To be eligible for FMLA/CFRA Leave, an employee must (1) have worked for the City for at least twelve months prior to the date on which the leave is to commence; and (2) have worked at least 1,250 hours in the twelve months preceding the leave.

2. FMLA Leave

a. Permissible Uses

"Family care leave" may be requested under the FMLA for (1) the birth or adoption of an employee's child, (2) the placement of a foster child with the employee; or (3) the serious health condition of an employee's child, spouse, or parent. "Medical leave" may be requested under the FMLA for an employee's own serious health condition. A "serious health condition" is one that requires either in-patient care in a medical facility or continuing treatment or supervision by a health care provider.

"Qualifying exigency leave" may be requested under the FMLA (and CFRA) for qualifying exigencies arising out of the fact that an employee's spouse, son, daughter, or parent is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation. "Qualifying exigencies" include certain absences related to short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities. Employees may contact the Human Resources/Risk Manager or her or his designee for more information about what qualifies as a "qualifying exigency."

"Military caregiver leave" may be requested under the FMLA to care for a "covered service member" if the employee is a spouse, child, parent, or next of kin of the "covered service member." A "covered service member" is:

- A member of the Armed Forces, including the National Guard and Reserves, who, because of a serious injury or illness incurred in the line of duty while on active duty that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating, is: (1) undergoing medical treatment, recuperation, or therapy; (2) in outpatient status; or (3) on the temporary disability retired list; or
- A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

b. Amount of FMLA Leave Available

Provided all the conditions of this policy are met, an employee may take a maximum of twelve (12) weeks total of family care leave, medical leave, and qualifying exigency leave under the FMLA in a 12-month period. This 12-month period is measured backwards from the date the employee's family care leave, medical leave, or qualifying exigency leave under the FMLA commences. Spouses who are both employed by the City may take a maximum combined total of twelve weeks of family care leave under the FMLA in a 12-month period for the birth, adoption, or foster care of their child.

Provided all of the conditions of this policy are met, an employee may take up to 26 weeks total of a combination of all leaves under the FMLA during a 12-month period (up to 12 weeks of which may be for FMLA leave other than military caregiver leave). The 12-month period used to measure this entitlement will commence upon the first use of military caregiver leave under the FMLA for a covered service member's particular injury.

3. CFRA Leave

"Family care leave" may be requested under the CFRA for (1) the birth or adoption of an employee's child, (2) the placement of a foster child with the employee; or (3) the serious health condition of an employee's child, spouse, domestic partner as defined in California Family Code Section 297, or parent. Under the CFRA, "child" means a child, including a child who is 18 years of age or older who is capable of self-care. An employee's child means a biological, adopted, foster, step-child, legal ward, a child of a domestic partner, or a person to whom the employee stands in loco parentis. Under the CFRA only, leave is permitted to care for a domestic partner, grandparent, grandchild, or sibling who has a serious health condition. Leave for this purpose does not apply to FMLA leave and will not run concurrently with leave under the FMLA. "Medical leave" may be requested for an employee's own serious health condition. A "serious health condition" is one that requires either in-patient care in a medical facility or continuing treatment or supervision by a health care provider.

Under the CFRA only, leave for "qualifying exigencies" arising out of the fact that an employee's domestic partner is on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation. Leave for this purpose does not apply to FMLA leave and will not run concurrently with leave under the FMLA.

Provided all of the conditions of this policy are met, an employee may take up to twelve (12) weeks of leave under the CFRA during a 12-month period. This 12-month period is measured backwards from the date the employee's family care leave or medical leave under the CFRA commences.

If both parents of a child, adoptee, or foster child are employed by the City and are entitled to bonding leave:

1. The aggregate number of workweeks of FMLA leave to which both may be entitled may be limited to 12 workweeks during any 12-month period; and
2. Each parent is entitled to take 12 workweeks of CFRA leave during any 12-month period.

If both parents of a covered service member are employed by the City and are entitled to leave to care for a covered service member, the aggregate number of workweeks of leave to which both may be entitled is limited to 26 work weeks during the 12-month period. This limitation does not apply to any other type of leave under this policy.

Family care leave and medical leave under the CFRA typically run concurrently with family care leave and/or medical leave under the FMLA, except as otherwise set forth herein.

4. Intermittent Leave

FMLA/CFRA Leave taken for the birth, adoption, or foster care placement of a child generally must be taken in blocks of at least two (2) weeks' duration; however, the City will provide employees with family care leave for birth, adoption, or foster care placement for periods of less than two (2) weeks duration on any two (2) occasions. FMLA/CFRA Leave taken for the birth, adoption, or foster care placement of a child must be concluded within one (1) year of the birth, adoption, or placement.

Qualifying exigency leave under the FMLA may be taken on an intermittent or reduced schedule as required by the qualifying exigency.

FMLA/CFRA Leave for any other reason may be taken intermittently or on a reduced schedule where medically necessary. If FMLA/CFRA Leave is authorized to be taken intermittently or on a reduced schedule, the City retains the discretion to transfer the employee temporarily to an alternative position with equivalent pay and benefits which better accommodates the employee's leave schedule.

5. Substitution of Paid Leave

Employees are required to substitute accrued paid time off, including accrued compensatory time off, for all FMLA/CFRA Leaves, except that employees can retain a five (5) day balance of accrued paid time off.

If the employee is receiving payments from State Disability Insurance ("SDI") while on FMLA/CFRA leave, the accrued paid leave time will only be used in an amount which supplements the SDI payment such that the employee receives the full amount of his or her regular compensation as an active employee.

The substitution of paid leave time for FMLA/CFRA Leave does not extend the total duration of FMLA/CFRA Leave to which an employee is entitled. For example, if an employee has accrued two (2) weeks of unused paid vacation time at the time of the request for medical leave under the FMLA/CFRA, that paid vacation time will be substituted for the first two (2) weeks of FMLA/CFRA Leave, leaving up to ten (10) additional weeks of unpaid FMLA/CFRA Leave.

6. Leave's Effect on Pay

Except to the extent that other paid leave time is substituted for FMLA/CFRA Leave, FMLA/CFRA Leave is unpaid.

7. Leave's Effect on Benefits

During an employee's FMLA/CFRA Leave, the City shall continue to pay for the employee's participation in the City's group health insurance to the same extent and under the same terms and conditions as would apply had the employee not taken leave. Employees are required to continue to make any payments they normally make towards healthcare coverage premiums while on leave. In the event an employee on leave fails to make timely payment for their portion of healthcare

coverage premiums, the City will notify the employee of such failure and, if payment is not made, terminate the coverage.

If the employee fails to return from the leave for a reason other than the recurrence or continuation of the health condition that brought about the leave or other circumstances beyond the employee's control, the City is entitled to recover any health premiums paid by the City on the employee's behalf during any unpaid period of the leave.

Employees on FMLA/CFRA Leave accrue employment benefits, such as paid time off or seniority, only when paid time off is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual. If the employee is using accrued paid time off to supplement SDI payments as discussed above, he or she will accrue employment benefits on a pro rata basis.

8. Procedure for Requesting Family Care and Medical Leave

Notice Requirements

Employees should notify the Human Resources/Risk Manager of their request for FMLA/CFRA Leave as soon as they are aware of the need for such leave. For foreseeable events, if possible, the employee shall provide thirty (30) calendar days' advance written notice to the Human Resources/Risk Manager of the need for FMLA/CFRA Leave. For events that are unforeseeable thirty (30) days in advance, but are not emergencies, the employee must notify the Human Resources/Risk Manager, in writing, as soon as he/she learns of the need for the leave, ordinarily no later than one (1) to two (2) working days after the employee learns of the need for the leave. If the leave is requested in connection with a planned, non-emergency medical treatment, the employee may be requested to reschedule the treatment so as to minimize disruption of the City's business.

If an employee fails to provide the requisite 30-day advance notice for foreseeable events without any reasonable excuse for the delay, the City reserves the right to deny the taking of the leave.

All requests for FMLA/CFRA Leave should include anticipated date(s) and duration of the leave. Any requests for extensions of an FMLA/CFRA Leave must be received at least five (5) working days before the date on which the employee was originally scheduled to return to work and must include the revised anticipated date(s) and duration of the family care or medical leave.

Certification

Any request for FMLA/CFRA Leave must be supported by proper certification of the need for leave. For foreseeable leaves, employees must provide the required certification before the leave begins. When this is not possible, employees must provide the required certification within fifteen (15) calendar days after the City's request for certification, unless it is not practicable under the circumstances to do so, despite the employee's good faith efforts. Failure to provide the required certification may result in the denial of foreseeable leaves until such certification is provided. In the case of unforeseeable leaves, failure to provide the required certification within fifteen days of

being requested to do so may result in a denial of the employee's continued leave. Any request for an extension of the leave also must be supported by an updated certification.

Certification of family care leave under the FMLA/CFRA shall include (1) the date on which the serious health condition commenced; (2) the probable duration of the condition; (3) the health care provider's estimate of the amount of time needed for family care; and (4) the health care provider's assurance that the health care condition requires family care leave.

Certification of medical leave under the FMLA/CFRA shall include (1) the date on which the serious health condition commenced; (2) the probable duration of the condition; (3) a statement that, due to the serious health condition, the employee is unable to perform the functions of his or her position; and (4) in the case of intermittent leave or revised schedule leave where medically necessary, the probable duration of such a schedule. In addition, the certificate may, at the employee's option, identify the nature of the serious health condition involved. If the City has reason to doubt the validity of the certification provided by the employee, the City may require the employee to obtain a second opinion from a doctor of the City's choosing at the City's expense. If the employee's health care provider and the doctor providing the second opinion do not agree, the City may require a third opinion, also at the City's expense, performed by a mutually agreeable doctor who will make a final determination. Before permitting the employee to return to work, the City may also require the employee to provide medical certification that he or she is able to return to work.

Certification of a military caregiver leave under the FMLA shall be either (1) an appropriate medical certification from an authorized health care provider or (2) a copy of an Invitation Travel Order or Authorization issued by the Department of Defense.

The nature and format of the certification of a qualifying exigency leave under the FMLA will vary depending on the nature of the qualifying exigency, and will typically include a copy of the active duty orders for the employee's spouse, son, daughter, or parent.

9. Leave's Effect on Reinstatement

Employees returning from FMLA/CFRA leave are entitled to reinstatement to the same or comparable position consistent with applicable law, provided that the total period of the FMLA/CFRA Leave does not exceed the employee's maximum leave entitlement as described above.

Employees who take medical leave under the FMLA/CFRA for their own serious health condition must provide medical certifications verifying that they are able to return to work in the same manner as employees who return to work from other types of medical leave.

Pregnancy Disability Leave (POL)

Under the California Fair Employment and Housing Act (FEHA), if an employee is disabled by pregnancy, childbirth or related medical conditions, she is eligible to take a pregnancy disability leave (PDL). If an employee is affected by pregnancy or a related medical condition, she is also

eligible to transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties, if this transfer is medically advisable.

- The PDL is for any period(s) of actual disability caused by pregnancy, childbirth or related medical conditions up to four (4) months (or eighty-eight **(88)** work days for a full-time employee) per pregnancy. For a full-time employee who works 40 hours per week, "four months" means 693 hours of leave entitlement, based on 40 hour per week times 17 1/3 weeks. An employee who works less than 40 hours per week will receive a pro rata or proportional amount of leave.
- The PDL does not need to be taken in one continuous period of time but can be taken on an as-needed basis.
- Time off needed for prenatal care, severe morning sickness, doctor ordered bed rest, childbirth, and recovery from childbirth would all be covered by the PDL.
- Except as other specifically provided in this section, generally, the City is required to treat pregnancy disability the same as the City treats other disabilities of similarly situated employees. The leave will be unpaid.

Employees on PDL will be required to obtain a written certification from their health care provider of the pregnancy disability or the medical advisability for a transfer. The certification should include:

1. The date on which the employee becomes disabled due to pregnancy or the date of the medical advisability for the transfer;
2. the probable duration of the period(s) of disability or the period (s) for the advisability of the transfer, and
3. a statement that, due to the disability, the employee is unable to work at all or to perform any one or more of the essential functions of the position without undue risk to herself, the successful completion of the pregnancy or to other persons or a statement that, due to your pregnancy, the transfer is medically advisable.

At the employee's option, any accrued paid time off may be used as part of the pregnancy disability leave before taking the remainder of the leave as an unpaid leave. However, taking paid time off during the period of the pregnancy disability leave does not extend the maximum time allowed for such leave. Employees may also be eligible for state disability insurance for the unpaid portion of the leave.

Employees on PDL accrue employment benefits, such as paid time off or seniority, only when paid time off is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual. If the employee is using accrued paid time off to supplement SDI payments, she will accrue employment benefits on a pro rata basis.

An employee who is on a leave of absence for a period in excess of two (2) months must notify the Human Resources/Risk Manager by the end of each month thereafter both of the

status of the disability and the employee's continued intent to work once the employee recovers from the disability. An employee returning from an absence shall be required to provide a physician's certification that indicates that she is fit to return to work.

An employee who returns to work at the end of a leave of absence due to pregnancy, childbirth or related medical condition will be returned to her former position, if possible, or will be offered the first available opening in a comparable position for which she is qualified.

An employee who returns from a leave of absence due to pregnancy will be credited with all service prior to the commencement of her disability.

An employee who fails to report for work at the end of an approved leave will be deemed to have voluntarily resigned.

During an employee's approved PDL, the City shall continue to pay for the employee's participation in the City's group health insurance to the same extent and under the same terms and conditions as would apply had the employee not taken leave, for up to four months. Employees are required to continue to make any payments they normally make towards healthcare coverage premiums while on leave. In the event an employee on leave fails to make timely payment for their portion of healthcare coverage premiums, the City will notify the employee of such failure and, if payment is not made, terminate the coverage. The City is entitled to recover any health premiums paid by the City on the employee's behalf during any unpaid period of the leave if the employee fails to return from the PDL for a reason other than one of the following: (1) the employee takes FMLA/CFRA Leave; (2) the continuation, recurrence or onset of a serious health condition or serious injury or illness within the meaning of FMLA/CFRA; or (3) other circumstances beyond the employee's control as provided by law.

Employees on PDL accrue employment benefits, such as paid time off or seniority, only when paid leave is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual. If the employee is using accrued paid time off to supplement SDI payments as discussed above, he or she will accrue employment benefits on a pro rata basis.

Paid Family Leave

Employees who are covered by the state's SDI program will be eligible for reimbursement for up to six (6) weeks during a twelve (12) month period of qualifying unpaid leave, for the purposes of bonding with a newborn child (up to one (1) year from birth or adoption), or to care for a family member or domestic partner.

An employee who is eligible for SDI benefits may only become eligible for PFL benefits after SDI benefits are no longer being paid. SDI benefits are payable when an employee is disabled for a non-work related reason, which may include pregnancy; PFL benefits are for baby bonding and for providing care to a family member.

Once an employee is no longer disabled, and (in the case of pregnancy) has given birth, her SDI benefits may cease and she may apply for baby bonding benefits under PFL.

Once an employee applies for PFL, there is a seven (7) day unpaid waiting period before the employee may start receiving benefits. However, an employee who previously served a waiting period before receiving SDI benefits will not have to serve another waiting period before receiving PFL benefits. Employees may use their accrued paid time off during the seven (7) day waiting period.

Paid Family Leave is administered by the State of California and may be modified by the State from time to time.

4.14 DEATH OR CRITICAL ILLNESS IN IMMEDIATE FAMILY BEREAVEMENT LEAVE

An employee eligible for benefits, upon the necessity of his absence being shown to and with the consent of the City Manager, may be allowed to be absent from the duties of his/her position and to receive full compensation during such absence for bereavement leave. Eligible City employees shall be entitled to bereavement leave, in addition to any other leave, to provide up to three (3) working days per year with pay in the case of death or of critical illness where death appears eminent. This time shall be in addition to accrued leave time or compensatory time. The City shall cooperate with the employee in providing time off, using accrued leave time, or compensatory time, for any additional bereavement needs if the three (3) days bereavement leave has been used.

Such benefit shall apply to all immediate family members, to include spouse, child, brother, sister, parent (including step family and in-laws), grandparents and grandchildren when the relationship of the person to the employee warrants such use of bereavement leave. Where such death or critical illness has occurred, the employee shall furnish satisfactory evidence of such death or critical illness to his/her department head.

Such leave of absence shall not be allowed in any case where, in the preceding six (6) calendar months, a leave of absence for the critical illness of that same relative has been granted. Such bereavement leave is not cumulative from year to year.

Leave to attend the funeral of a co-worker will be acceptable to the City upon Department Head approval consistent with maintenance of operations. Such leave is considered leave with pay and not charged to any other leave.

4.15 CONFLICT OF LAWS

In the event of any conflict between the provisions of this Conditions of Employment and Federal or State laws, such Federal or State laws shall prevail.

SECTION 5 LEGAL HOLIDAYS

5.1 Legal Holidays

- A. The City has established the following schedule of days that shall be observed as legal holidays by all affected employees, at which time the City's administrative offices will be closed. The City observes twelve holidays. Three floating holidays are included in the leave bank.

January 1st	New Year's Day
3rd Monday in January	Martin Luther King Day
3rd Monday in February	President's Day
Last Monday in May	Memorial Day
June 19th	Juneteenth
July 4th	Independence Day
1st Monday in September	Labor Day
November 11th	Veteran's Day
4th Thursday in November	Thanksgiving Day
4th Friday in November	Friday following Thanksgiving
December 25th	Christmas Day

- B. Additionally, the following days shall be observed as legal holiday: The day before or after Christmas Day and day before or after January 1st.
- C. When a holiday falls on a Saturday or Sunday, the preceding Friday or the following Monday respectively shall be observed as the legal holiday. If the holiday falls on an employee's flex day, the flex day may be rescheduled within the same work week. Rescheduled flex days off that are rescheduled because a holiday falls on that day are subject to prior approval by the Department Head and appropriate notification to the Administrative Services Department.
- D. Observance of a legal holiday on a Friday or Monday, at which time the City's Administrative offices will be closed, will not create overtime or the loss of time from an employee's leave bank if the holiday falls on a regularly scheduled flex day. The hours for any given holiday will relate to the number of hours of the employee's regular scheduled work day for that particular day.
- E. Nothing in this Conditions of Employment shall preclude the City from declaring a holiday when a legal holiday has been declared by the President of the United States or the Governor of the State of California or the City Council.

SECTION 6 WORKERS' COMPENSATION INSURANCE

When an employee is injured on duty arising out of and in the course of employment (which shall not be construed as an employee's normal commute to and from work), such employee shall receive benefits and incur obligations as follows:

For a period not to exceed six months, commencing with the first day following such injury, while a full-time City employee is totally disabled from industrial injury and on accepted workers'

compensation status, employee shall be compensated in an amount equal to such employee's base wages at the time of such disability, less the aggregate of (a) any workers' compensation benefits, and (b) any other disability payments made to such employee. Such payment shall be limited to said six month period or until such employee is retired on permanent disability or terminated from the City's employment, whichever comes first.

An employee shall be entitled to benefits at the normal rate if the employee is on accepted workers' compensation status and in a pay status for up to six months as defined above.

The workers' compensation carrier of the City reserves the right to subrogate if a claim is filed by an employee against a third party.

SECTION 7 RETIREMENT PROGRAM

- A. The City shall continue to participate in the California Public Employees Retirement System (CalPERS). Under CalPERS, the City provides the 2%@55 Miscellaneous Plan formula for all employees who are "classic members" as defined by the Public Employees' Pension Reform Act of 2013 (PEPRA). For all "new members" as defined by PEPRA, the City provides the 2%@62 formula. Employees of the City who are hired on or after January 1, 2013 who classified as new members under PEPRA are subject to the other CalPERS terms and conditions set forth in PEPRA.
- B. Effective the first pay period after the City Council approve the Resolution No. 5761, changing the payment and reporting value of Employer Paid Member Contributions (EPMC), City employees who are classic members shall share in the cost of CalPERS coverage through payroll deduction as follows:
- "Classic" employees will contribute a portion of the required employer normal contribution as follows:
- Employees shall pay three and one-half percent (3.5%) of "compensation earnable" toward Employer Paid Member Contribution (EPMC) and four and one-half percent (4.5%) toward member contribution, making it a total of eight percent (8%) employee retirement cost share. This 8% contribution by employees to the employer contribution will be considered to be a contribution towards the normal cost as defined under PEPRA.
- C. In addition, the City's will continue contributing 3.50% of the "employees' compensation earnable" toward Employer Paid Member Contribution (EPMC).
- D. Employees who are hired after January 1, 2013 and are new members under PEPRA, shall pay the full member contribution amount which is currently 6.5% of "compensation earnable. However, new members will not contribute toward any portion of the required employer contribution.
- E. The City shall continue to report the value of the EPMC on all reportable compensation subject to CalPERS for all employees in Management as adopted by Resolution 5761.

SECTION 8 SECTIONS HEALTH/DENTAL BENEFITS FLEXIBLE BENEFIT PROGRAM

8.1 LIFE, HEALTH AND DENTAL BENEFITS

- A. The parties agree that the City will maintain a life insurance program providing a \$100,000.00 term life insurance policy for the management, mid-management employee only, the beneficiary to be designated by said employee. The cost of the premium for this policy to be paid in full by the City. Employees retiring with 20 years or more of continuous service with the City and enrolled in the City's group life insurance program at the time of retirement, may continue to be covered in the City's group life insurance program at City expense for a life benefit of \$10,000. Extended coverage will not include AD&D benefits.
- B. The City will maintain the current health insurance program with the Public Employees Retirement System (PERS) Medical and Hospital Care Act (PEMCHA) pursuant to Government Code Section 22850. The health insurance program shall be available to all regular full-time employees and retirees. The City will contribute the PEMHCA statutory minimum on behalf of each participant in the program. The PEMHCA statutory minimum for 2023 is \$151 per month, and changes each year in accordance with Government Code section 22892(b). In addition, the City shall make contributions to a flexible spending cafeteria plan in accordance with Internal Revenue Code Section 125 for all active employees, and to a health savings account for all retirees as follows:
- Each eligible employee or retiree may select a health insurance carrier providing coverage in the Carpinteria geographic area, as defined and provided by PERS and currently in effect and on file in the City Human Resources Office.
 - The City will contribute the cost of the most affordable HMO plan available in Ventura and Santa Barbara Counties that employees are eligible to enroll in, i.e., employee only, employee plus one, or family; less the PEMHCA statutory minimum and less the employee's contribution. Employee contributions are calculated on a cumulative basis as follows: employees will pay by payroll deduction, a monthly contribution towards the cost of their health insurance premium (employee and dependents) in an amount equal to .029% of their annual base salary times the percentage of insurance carrier increase or decrease with a minimum of five percent (5%) or maximum ten percent (10%) each year. (For example, if an employee's annual base salary is \$50,000, and the insurance carrier increase is 5%, the calculation would be: $\$50,000 \times .00029 \times 1.05$, the monthly contribution for that employee would be \$15.22.) The most affordable HMO plan will be used for purposes of calculating the percentage of insurance carrier increase or decrease.
 - Employees shall be responsible for payment (either through a cafeteria contribution or as a payroll deduction) for any health insurance premium which exceeds the City's contribution amount, including the PEMHCA statutory minimum, for the plan selected for coverage under the PERS Health Benefit Program. *(Effective January 1, 2024. Until*

the effective date, the City will operate under previous COE language; only employees who elect a Preferred Provider Organization (PPO) plan are responsible for payment of the difference between the premiums of their elected PPO plan and the designated HMO plan - Blue Shield Access+ HMO.)

- In addition, a Health Care All Employee Committee will be created to evaluate options for the provision of health insurance. The City will schedule these Committee meetings as appropriate in 2018 and, if needed, 2019. However, the City will not initiate any changes to the currently existing health insurance plans during the term of this Conditions of Employment without the agreement of the Management Staff.
- Health insurance coverage for newly hired employees will commence on the first day of the month following one full month of employment. If hired prior to the 15th day of the month, the month of hire will count as a full month of employment and coverage will be effective the first day of the following month. If hired after the 15th day of the month the month of hire will not count as a full month and the following month will be the first full month of employment.
- For covered employees who terminate during the fiscal year, such health insurance coverage shall end on the last day of the month following when said termination becomes effective, except that the provisions of COBRA may be applied at the employee's option. Covered employees who retire from the City under PERS may, at their option, continue such coverage without interruption pursuant to the provisions of the PERS Health Program.

8.2 DENTAL INSURANCE:

The City will provide 100% of the premium charged to maintain a Dental Insurance Plan for miscellaneous unrepresented employees and, where appropriate, dependent coverage. The City will retain control over the administration of the dental insurance program subject to maintenance of equivalent benefits to the extent it is within the control of the City. COBRA benefits may be applied at the employee's option. Dental coverage will commence on the first day of the month following one full month of employment.

8.3 FLEXIBLE BENEFIT PROGRAM (WELLNESS) ALLOWANCE:

- A. Active regular employees with three or more months of active service with the City shall be credited with a Flexible Benefit Program Allowance in the amount of \$1,162 for each calendar year. The City will increase the allowance by 2% annually beginning January 1, 2018 during the term of this Agreement. Effective January 1, 2023, the allowance is \$1,310.00 (rounded up from \$1,309.68).
- B. The purpose of the Flexible Benefit Program is to provide reimbursement to the covered employee for eligible medical and health-related costs not otherwise covered by health insurance or subject to reimbursement from any other source or to participate in other benefits provided by the Flexible Benefit Program. Payment of medical costs, not

covered by insurance, must be prescribed by a physician or determined by the Internal Revenue Service (IRS) to be an eligible health-related expense.

- C. In addition to reimbursement for eligible medical and health related costs and dependent care, the employee will have the option to purchase benefits offered through the Flexible Benefit Program. The level of participation in benefits provided by the Flexible Benefit Program will be at the option of each employee. Employees may cash out a portion of any unused allowance up to \$810 of the Flexible Benefit allowance, subject to applicable payroll taxes or contribute such amount to their 457 plan up to the legally allowed maximum and with proper notice. The balance must be used for health-related expenses.
- D. Reimbursement for bona fide health-related expenses, which may be eligible expenses under the Flexible Benefit Program may be subject to payroll taxes unless related to a particular medical condition and so prescribed by a medical doctor.
- E. The City will revisit the annual Wellness Allowance taking inflation into consideration.

8.4 OUTSIDE COVERAGE OPTION:

- A. The employee is not required to select or participate in any health/dental insurance program provided by the City, but such employee must provide satisfactory documentation that he/she is covered by an alternative health/dental insurance program.
- B. Those employees with proof of health and/or dental insurance coverage who choose not to participate in the City's group health insurance and/or dental insurance program due to the availability of other coverage through a spouse's employer, the military, or other source, will receive, in addition to the Flexible Benefit Program allowance, a benefit allowance equal to fifty percent (50%) of the premium charged for the annual single coverage in the PERS basic HMO Plan available to this group of employees. An employee shall receive this benefit allowance as a one-time cash payment, with such payment subject to payroll taxes.
- C. Those eligible employees who participate in the City's group health insurance program and have an eligible spouse or family dependents, but select single coverage and choose to cover any dependents under insurance offered through a spouse's employer, the military, or other source will receive, in addition to the employer contribution, the fully paid premium contribution balance for single health insurance coverage and the wellness benefit allowance as provided for in Section 8.3, plus an additional benefit equal to 50% of the allowance specified in the above section, 8.4(B).

8.5 FITNESS PROGRAM:

The City agrees to reimburse employees at the rate of \$600.00 per fiscal year (\$50.00 per month) for the employee's membership fee at an athletics club or fitness program approved by the City Manager. Only full-time employees are eligible to receive this benefit.

This benefit will be made available to each management employee and councilmember subject to budgetary constraints and fiscal allocation. The level of participation in this benefit will be at the option of each employee.

SECTION 9 SERVICE AWARDS

The City of Carpinteria has established appropriate service awards to recognize continuous service with the City at levels of five, ten, fifteen, twenty, twenty-five and thirty years. In addition, in recognition of long-time service of twenty-five and thirty years eligible employees are entitled to the following recompense:

Twenty Five Year Service Recognition

Upon completion of twenty-five years of continuous service, eligible employees will be entitled to two personal days of leave per fiscal year. The hours will not have a cash value nor will they accumulate to be carried over to the next fiscal year. The use of the days as time off shall be subject to the regular request process.

Thirty Year Service Recognition

Upon completion of thirty years of continuous service, eligible employees will receive a commemorative recognition gift and be entitled to have three additional days added to their existing leave bank hours.

SECTION 10 LIFE INSURANCE

10.1 LIFE INSURANCE:

The City will maintain a group term life insurance policy for employee only, the beneficiary to be designated by the employee. The cost of the premium for this policy to be paid in full by the City. The coverage of such life insurance for this classification of employee will be \$50,000 subject to conditions of the providing life insurance company.

Employees retiring with 20 years or more on continuous service with the City and enrolled in the City's group life insurance at the time of retirement, may continue to be covered at City expense for a life benefit of \$10,000. Extended coverage will not include AD&D benefits.

SECTION 11 EDUCATION/TRAINING AND PROFESSIONAL DEVELOPMENT

11.1 TRAINING PROGRAMS:

The City recognizes the importance of training programs and advancement of employees to higher skills and encourages employees to participate in programs to improve his/her performance on the job. The City agrees that all direct costs of all training or instruction required by the City shall be paid for by the City.

Charges for tuition, books and supplies for educational courses, not required by the City but directly related to the Management Employee's position with the City, and having prior written approval of the Department Director and City Manager will be reimbursed upon presentation of satisfactory completion of such training.

It is the policy of the City to provide paid membership in approved professional associations for Management Employees as budgeted and subject to approval by the City Manager. This policy also includes publications associated with membership and other educational materials. The City encourages Management Employees to attend professional conferences subject to budgetary restraints and fiscal allocation.

SECTION 12 MISCELLANEOUS POLICIES

12.1 PHYSICAL EXAMINATION:

The City encourages all employees to have an annual physical examination as provided for under our health insurance benefits.

12.2 DRESS AND DECORUM:

All employees shall observe professional standards of dress, and decorum considered suitable for general public contact based on current social standards as interpreted by the City Manager.

12.3 EMPLOYEE RESPONSIBILITIES:

Each employee shall comply with all safety laws, rules and regulations and adopted policies of the City in performing the duties required of his/her position; and shall not willfully violate any of the provisions of the ordinances and resolutions which have been adopted and/or prescribed by the Carpinteria City Council or City Manager.

12.4 DEATH BENEFIT:

The City shall pay a death benefit in the amount of Two Thousand Five Hundred Dollars (\$2,500) directly to the spouse or legal heirs of any Management Employee within seventy two hours of the death of any Management Employee as the result of any industrial injury or illness as defined by Cal OSHA Publication #120-A, sustained by such employee while on duty within the course and scope of his/her employment with the City of Carpinteria.

12.5 TRANSLATION PAY:

- (1). Management Employees are encouraged to voluntarily develop bilingual skills in instances where the public contact nature of their jobs would make such skills valuable.
- (2). Any Management Employee hired prior to August 15, 1998 who, on a regular basis, is required to translate/interpret from Spanish to English or English to Spanish and is proficient in Spanish as determined by the City Manager shall be paid Translation Pay.

12.6 MOVE-UP PAY OR TEMPORARY ASSIGNMENT:

When in the best interests of the City, the City Manager may approve a Move Up or Temporary Assignment of a probationary or regular employee to a higher level classification than that for which he/she is currently assigned and being compensated, in accordance with the following:

1) Eligibility Requirements

- a) The City Manager has the sole discretion to determine if a Move Up or Temporary Assignment is needed and has the sole authority to deny or approve assignment, without any right to grievance or appeal.
- b) The employee appointed to work in a Move Up or Temporary Assessment must be capable of handling the major duties of the higher level classification without any more supervision than an employee who regularly works in the higher classification.
- c) To be eligible for Move Up or Temporary Assignment, the employee must be required to work more than five (5) working days in succession in the higher classification.
- d) Should an employee be hired to fill a higher classification position during a period of Move Up or Temporary Assignment, the employee's time worked in a higher classification shall not count toward the completion of probationary requirements for the higher classification, unless expressly established as a condition of hiring.

2) Amount of Move Up or Temporary Assignment Pay

- a) An employee shall receive compensation equal to ten percent (10%) above the employee's regular base salary, for work performed within the scope and responsibilities of the higher classification and will continue to receive the additional pay for the duration of assignment. Base salary is defined as the base salary paid to the employee without additions for overtime, medical insurance, longevity, expense or other benefits.
- b) In no event shall the employee receive an amount greater than the base salary for the maximum step for the higher classification.
- c) An employee shall not receive any other benefit assigned to the higher classification that they are not already receiving.
- d) While working in an out-of-class assignment, an employee shall continue to accrue, and have recorded, normal step increases in the employee's regular position.

3) Move Up or Temporary Assignment Pay Does Not Apply to the Following:

- a) The mere performance of certain portions of the higher position or assisting with certain duties of the position is filled.

- b) Where the temporary assignment is a replacement of an employee on vacation.
- c) When the City has activated the Emergency Operations Center (EOC).
When the EOC is activated, all public employees are declared to be disaster service workers subject to such disaster service activities as may be assigned to them by their superiors or by law. During a time of emergency, employees may work modified job duties and/or may be asked to take on tasks outside of their normal responsibilities to work in support of emergency operations and such activities and/or duties are not eligible for Move Up or Temporary Assignment Pay.

12.7 PARTICIPATION IN CITY-SPONSORED RECREATION PROGRAMS:

The City agrees to provide special employee rates to currently employed, regular full-time employees and their immediate family members who wish to participate in City-sponsored Parks and Recreation Department Programs. All fees are payable in advance of participation in the program. Requests for employee rates for City-sponsored programs should be in writing and approved by the Parks and Recreation Director and scheduled with the appropriate recreation program supervisor.

- (1) Eligible employees will receive a fifty percent (50%) discount on tuition and registration only for City-sponsored recreation programs. Individual enrollees will be responsible for any ala carte activities scheduled in the programs, e.g. field and/or camping trips, movies, special meals, etc. A discount on recreation rental equipment is dependent upon availability.
- (2) The annual fee for Community Pool Family Membership will be discounted Seventy-five percent (75%). The fee will include participation in the Masters' Program, Lap Swimming, Recreational Swimming and Water Aerobics.

12.8 CITY PROPERTY:

Desks, file cabinets, lockers, computers, tools and other equipment are property of the City and must be maintained in good condition in accordance with the City's policies, rules and regulations. They must be kept clean and are to be used only for work-related purposes. If the City property is lost, or damaged, report it to your supervisor at once. No property may be removed from the premises without the prior authorization of your supervisor.

In order to ensure compliance with this provision and with the City's policies, rules and regulations, the City reserves the right to inspect all City property, without notice to the employee and/or in the employee's absence.

For security reasons, personal belongings of value should not be left in the workplace. The City is not responsible for lost or stolen personal belongings.

Employees should take reasonable steps to protect City property from theft. Employees should immediately inform management if theft of City property is suspected. However, employees should not attempt to stop the theft of City property if doing so poses any risk whatsoever of endangering the safety of the employee or others.

Immediately upon termination of employment, all property of the City (keys, tools, manuals, etc.) must be returned to the City. All personal items should be removed at the time terminated employees leave the premises of the City. Unless otherwise agreed to in writing, if a terminated employee leaves personal items at the workplace, these items are subject to disposal if not removed within five (5) days of the date of the employee's termination.

12.9 CELL USE PHONE POLICY:

The City may provide certain employees with cellular phones that are to be used only for official City business. The City recognizes that employees may need to use their personal cell phone during working hours due to particular family or personal situations. Employees should limit the use of personal cell phones during working hours, to reasonably necessary communications, and use of a personal cell phone should not interfere with City operations or the performance of job duties. If an employee abuses the use of personal cell phone during working hours, at the City Manager, at his discretion, may require that the employee not use personal cell phones during working hours.

In compliance with California Motor Vehicle Code 23123, employees are not to dial any cell phone while driving, except to call a public safety agency. Employees may not receive incoming calls while driving unless the cell phone can be safely operated in a hands free mode. For employees with hands free cell phone operation, in the event an employee receives an incoming call while driving, the employee should either safely pull off the road to converse, inform the caller that he or she will return the call, or ask the caller to call again to allow the employee to reach a place where it is safe to use the phone. While driving, employees are prohibited from using any cell phone to text message, read or send e-mail, or any similar operations. While driving, employees are also prohibited from engaging in any activity or conduct that would constitute distracted driving or otherwise constitute an unsafe driving practice.

12.10 FITNESS FOR DUTY EXAMINATION:

Whenever the City Manager, or the Human Resources/Risk Manager, believes that an employee is unable to perform the essential functions of their job safely due to illness or injury, or is unable to perform the essential functions of their job safely or without posing a danger to themselves or others, the City may require the employee to submit to an independent medical examination at the City's expense. Such medical examination will be limited to the issues or areas of concern regarding the employee's ability to perform the essential functions of their job. If, after the independent medical examination, the City determines that the employee cannot perform the essential functions of their job, or cannot perform such essential functions safely or without posing a danger to himself/herself or others, the employee will be given the opportunity to provide the results of a separate medical evaluation by a qualified health care provider selected by the employee, within fifteen (15) days of the employee's receipt of a medical evaluation from the City.

In the event of a difference of opinion between the City's and the employee's health care providers, the City may require a third opinion, at the City's expense, performed by a mutually agreeable health care provider who will make a final determination.

12.11 REASONABLE ACCOMODATION:

The City of Carpinteria is committed to ensuring equal employment opportunities for disabled applicants and employees. It is the policy of the City of Carpinteria to comply with the Federal Americans with Disabilities Act ("ADA") and the California Fair Employment and Housing Act ("FEHA"). Every reasonable effort will be made to provide an accessible work environment for such employees and applicants. The City of Carpinteria will not discriminate against disabled employees. The City of Carpinteria provides reasonable employment-related reasonable accommodation(s) to permit an applicant or employee to perform the essential functions of the job, as defined by law, to qualified individuals with disabilities, and will engage in the interactive process within the meaning of the ADA and FEHA.

APPENDIX A

City of Carpinteria ***Policy on Public Employee Personal Use of*** ***Telecommunication Equipment, Electronic Mail, Voice-*** ***Mail and other computer systems***

PURPOSE

City-owned telecommunication equipment, computer hardware and software is intended to be used for business purposes. Electronic mail, known commonly as e-mail, is now a primary vehicle for communication in the workplace. As the use of e-mail increases, the need for a clear and comprehensive City's policy on personal use of City equipment becomes important to clarify the rights and obligations of employees and as a protection from potential liability for employers.

POLICY

The City maintains and utilizes as part of its operations a computer system, including e-mail, and a voice-mail system. These systems are provided to assist employees in the conduct of the City's business. All computers to the data stored on them, including e-mail, messages composed as well as all voice-mail are and remain at all times the property of the City. All remain the property of the City. Employees are prohibited from installing or downloading software onto the City's computer system except with the prior authorization of the Administrative Services Director.

Employees should attempt to limit voice-mail and e-mail messages to the conduct of the City's business. Use of the voice-mail and e-mail systems for the conduct of personal business is discouraged. The City reserves the right to prohibit the use of voice-mail and e-mail for the conduct of personal business when deemed appropriate. Other use of computer systems, including use of the Internet and other telecommunicating capabilities, should be limited to the conduct of the City's business unless prior written approval is received from the employee's supervisor.

Except for the right of the City to access data stored on the computer system, including e-mail messages, and to access voice-mail messages as described in this policy, all data stored on the computer system and all messages sent by voice-mail and e-mail are considered to be confidential, and as such are to be accessed only by the employee storing the data, the addressed recipient or at the direction of the addressed recipient. Any exception to this policy must be approved by the Administrative Services Director.

The City reserves the right to retrieve and read any data stored on the computer system and any message composed, created, sent or received on the voice-mail and e-mail systems, as well as Internet usage data, at any time, with or without advance notice to the employee. Although the computer system, including e-mail, and the voice-mail system may accommodate the use of passwords for security, the reliability of passwords for maintaining confidentiality cannot be guaranteed. All passwords must be made known to the City, and passwords not known to the City

may not be used. This is due to the need to access employees' computer systems, including e-mail, and voice-mail systems in the event that an employee is absent or when otherwise deemed appropriate by the City. Employees must therefore assume that any and all voice-mail and e-mail messages and all data stored on the computer system may be read by someone other than the employee storing the data or the intended or designated recipient, and understand the ultimate privacy of data stored on the computer system, including e-mail, and voice-mail messages, cannot be guaranteed to anyone.

The City's policy against unlawful harassment, including sexual harassment, and the City's anti-discrimination policy apply to employees' use of voice-mail, e-mail messages and screen savers as well as any other information transmitted over the City's computer system. Employees should not use any means of electronic communications in a manner that would violate those policies. For example, employees may not communicate messages by computer, voice-mail or other electronic means that would constitute sexual harassment, may not use sexually suggestive screen savers, and may not receive or transmit pornographic, obscene or sexually offensive material or information. As a further example, employees may not use electronic communications to transmit comments or images which are reasonably likely to offend someone on account of his/her age, sex, sexual orientation, race, religious beliefs, national origin, disability, or any of the other factors included in the Equal Employment Opportunity section of this Handbook. Any employee who uses any electronic communications device in a manner which violates this policy will be subject to disciplinary action, up to and including termination of employment.

DIGITAL DEVICES

Employees may not use any personal e-mail account or any digital or electronic device not owned by the City, including but not limited to any laptop computer, desktop computer, tablet computer, cellular telephone, personal digital assistant, or any other device capable of storing electronic information ("Digital Device") for City business without the City's prior written approval. Digital devices used by employees for City business may be subject to inspection to obtain City-related communications if requested under the Public Records Act.

APPLICATION

This policy applies to all employees with the City of Carpinteria.

The City reserves the right to prohibit the use of voice-mail and e-mail for the conduct of personal business when deemed appropriate.

EMPLOYEE RESPONSIBILITY

- Employees will be required to acknowledge that they have read, understand and will abide by the agency's technology policy. Violation of the policy may result in discipline, up to and including dismissal.
- To the extent that, under some circumstance, an employee is allowed to use e-mail for personal purposes the employee does so at his or her own risk. Employees should be

aware that deletion of a message or file may not fully eliminate the message from the system.

- Employees learning of any misuse of the voice-mail, e-mail or other computer system or violations of this policy shall immediately notify the City Manager or his/her designee.

MANAGEMENT RESPONSIBILITIES AND GUIDELINES

Management and supervisors are responsible for reasonable enforcement of this policy. Any e-mail information or messages revealed or disclosed under this policy are considered to be of a confidential nature.

APPENDIX B

SUBSTANCE ABUSE POLICY

This policy sets forth the rights and obligations of City employees. Employees should familiarize themselves with the provisions of this policy *because compliance with this policy is a condition of employment.*

I. PURPOSE

The City of Carpinteria, in its efforts to provide a drug and alcohol free environment, has adopted this Drug and Alcohol Free Workplace Policy. It is the purpose of this policy to eliminate alcohol and drug abuse by City Employees and its effects in the workplace. The presence of drugs and alcohol on the job and the influence of these substances on employees during working hours jeopardizes the safety of employees, the public, and the efficiency of City operations. It is the intent of the City, in adopting this policy, to meet the requirement of the Drug Free Workplace Act of 1988 (41 U.S.C. Section 701-707).

II. POLICY

In recognition of the duties entrusted to the employees of the City of Carpinteria and with knowledge that drugs and alcohol hinder a person's ability to perform job related duties safely and effectively, the City of Carpinteria adopts the following policy:

1. The use, possession, manufacture, dispensation or distribution of drugs and alcohol is prohibited:
 - a. in the workplace;
 - b. while on City time;
 - c. in City vehicles or facilities except as defined in City's facilities use policies;
 - d. prior to coming to work, so that the employee's performance is impaired.
2. The City is committed to providing reasonable accommodation to those employees whose drug or alcohol problem classifies them as disabled, under federal law.
3. The City has established a voluntary Employee Assistance Program (EAP) to assist those employees who voluntarily seek help for alcohol or drug problems (as well as for a variety of other personal problems). Employees may seek confidential assistance from the EAP counselor.

III. APPLICATION

1. This policy applies to all full time, part time and temporary employees, and to all applicants for positions with the City. This policy applies to alcohol and all substances, drugs or medications, legal or illegal, which impairs an employee's ability to effectively and safely perform his/her job duties.
2. A copy of this policy will be provided to all City employees.
3. A drug-free awareness program will be established to inform employees of the dangers and penalties of drug use in the workplace and of available counseling, rehabilitation and employee assistance programs.
4. Violations of the policy may result in disciplinary action being taken, up to and including termination.

IV. DEFINITIONS

For the purposes of this policy:

- A. "Illegal drugs" means any drug or controlled substance that is not legally obtainable or is legally obtainable but has not been legally obtained. Consistent with federal law, marijuana is considered an illegal drug, and consistent with the Federal Drug-Free Workplace Act of 1988 and the California Drug-Free Workplace Act, the restrictions related to illegal drugs under this Policy also apply to marijuana.

A. EMPLOYEE QUESTIONS

Employees shall refer any questions regarding rights and obligations under this policy to Human Resources.

B. PROHIBITIONS

The following conduct is prohibited and may result in discipline, up to and including termination:

1. The use, possession, manufacture, dispensation or distribution of drugs and alcohol is prohibited:
 - a. in the workplace;
 - b. while on City time;
 - c. in City vehicles or facilities except as defined in City's facilities use policies;
 - d. prior to coming to work, so that the employee's performance is impaired.

2. Reporting for duty or remaining on duty while having an alcohol blood concentration level of 0.08 or greater.
3. Being on duty or operating a vehicle on duty while possessing alcohol.
4. Using alcohol while on duty.
5. Reporting for duty or remaining on duty when the employee used any controlled substances, except of the use is pursuant to the written instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to perform their job.
6. Reporting for duty or remaining on duty if the employee tests positive for controlled substances.
7. Refusing to submit to any alcohol or controlled substances test required by this Policy. A covered employee who refuses to submit to a required drug/alcohol test will be treated in the same manner as an employee who tested 0.08 or greater on an alcohol test or tested positively on a controlled substances test.
A refusal to submit to an alcohol or controlled substances test required by this Policy includes, but is not limited to:
 - a. A refusal to provide a urine sample for a drug test;
 - b. An inability to provide a urine sample without a valid medical explanation;
 - c. A refusal to complete and sign the breath alcohol testing form, or otherwise to cooperate with the testing process in a way that prevents the completion of the test;
 - d. An inability to provide breath or to provide an adequate amount of breath without a valid medical explanation;
 - e. Tampering with or attempting to adulterate the urine specimen or collection procedure;
 - f. Not reporting to the collection site in the time allotted by the supervisor or manager who directs the employee to be tested (the time allotted shall be reasonable. In most cases the City will provide transportation to and from the collection site.);
 - g. Leaving the scene of an accident without a valid reason as to why authorization from a supervisor or manager who shall determine whether to send the employee for post-accident controlled substances and/or alcohol test was not obtained.

C. USE OF LEGAL DRUGS

The City recognizes that it may be necessary for employees to use legal drugs from time-to-time. The City also recognizes that an employee who is using legal drugs might become impaired by the drug such that the employee's ability to perform or to perform safely would be compromised. Employee who knows or should know that their use of legal drugs might endanger their own safety or the safety of some other person, or pose a risk of significant damage to City property or the property of others, are obligated to report such use of legal drugs to Human Resources or the City Manager and obtain Human Resources' or the City Manager's consent to continue working. The City reserves the right to have a designated physician determine whether it is advisable for the employee to continue working while taking such drugs. The City further reserves the right to have the employee's physician certify that when returning from a leave of absence, the employee will not be using any legal drugs which might impair the employee's ability to perform the employee's job duties for the City.

If appropriate, the City may restrict the work activities of an employee who is using legal drugs or require that the employee take a leave of absence while taking such drugs. If the City permits an employee to work while using legal drugs, the employee still cannot report to work in any case if impaired by the use of the drugs if the impairment might endanger the employee's own safety or the safety of anyone else, pose a risk of significant damage to City property or substantially interfere with the employee's job performance or the efficient operation of the City's business. The City may require a medical certificate not medical diagnosis as a precondition to return to work.

D. CIRCUMSTANCE UNDER WHICH DRUG AND ALCOHOL TESTING WILL BE IMPOSED ON COVERED EMPLOYEES.

1. Drug and Alcohol Testing

Applicants receiving a conditional offer of employment for certain designated positions, e.g. lifeguards, swim instructors, swim coaches, shall be subject to a urine and/or blood test for the presence of illegal drugs or alcohol. The City may refuse to employ an applicant whose test results show the presence of illegal drugs or alcohol. Applicants who are under a physician's care and/or are required to take legal drugs must notify Human Resources or its designee of that fact in writing before the date of the pre-employment examination. This applies to initial appointment as a classified employee only, and not to promotion within the service.

2. Reasonable Suspicion Testing

The City may require a blood test, urinalysis, or other drug and/or alcohol screening of those employees who are reasonably suspected of using or being under the influence of a drug or alcohol at work, under the following circumstances.

a. "Reasonable suspicion" to test exists if, based on objective factors, a reasonable person would believe that the employee is under the influence of drugs or alcohol at work. Examples of objective factors, include, but are not limited to a combination of: unusual behavior, slurred or altered speech, body odor, red or watery eyes, unkempt appearance, unsteady gait, lack of coordination, sleeping on the job, a pattern of abnormal or erratic behavior, a verbal or physical altercation, puncture marks or sores on skin, runny nose, dry mouth, dilated or constricted pupils, agitation, hostility, confused or incoherent behavior, paranoia, euphoria, disorientation, inappropriate wearing of sunglasses, tremors, or other evidence of recent drug or alcohol use. If the City suspects drugs or alcohol may have played a role in an accident involving City property or equipment that will also constitute reasonable suspicion.

b. Document and Analysis: In order to receive authority to test, the supervisor must record the factors that support reasonable suspicion in writing and analyze the matter with Human Resources or the City Manager, and if they are unavailable, the Department Head. Any reasonable suspicion testing must be pre-approved by Human Resources or the City Manager, and if they are unavailable, the Department Head.

c. Testing Protocol: If the documentation and analysis show that there is a reasonable suspicion of drug or alcohol abuse at work, and Human Resources or the City Manager, and if they are unavailable, the Department Head, has approved, the employee will be relieved from duty, transported to the testing facility and to their home after the test. The employee will be placed on sick or other paid leave until the test results are received.

d. Interview of Employee: An employee shall not be asked any questions without first being offered the right to have a representative present.

1. Post-Accident Testing

Post-accident drug and alcohol testing will be conducted on employees following an accident where reasonable suspicion indicators also exist to support the testing.

Alcohol: Post-accident alcohol test shall be administered within two hours following an accident and no test may be administered after eight hours.

Drug: A post-accident drug test shall be conducted within eight (8) hours following the accident.

An accident occurs when as a result of an incident involving a vehicle operated by a covered employee:

- (1) Any individual(s) receives an injury(s) requiring immediate hospital treatment, or ;
- (2) There is a recommendation by an on scene paramedic or medical professional that individual(s) involved in the accident should see a physician for injury(s) arising out of the accident.
- (3) A DMV Traffic Accident Report is required, i.e. the estimate of damage exceeds \$1,000 or the current DMV threshold and either law enforcement or, in the absence of law enforcement, Supervisor makes an on scene determination that the employee is at fault..

4. Return To Duty/Follow-up Testing:

A covered employee who has violated any of the prohibitions of this policy (See Section C) may be required to submit to a return to duty test before he/she may be returned to his/her position. The test result must indicate an alcohol concentration of less than 0.08 or a verified negative result on a controlled substances test.

E. EMPLOYEE RESPONSIBILITIES:

An employee:

1. Must not report to work, or be subjected to scheduled duty while his/her ability to perform job duties is impaired due to on or off duty alcohol or drug use.
2. Must not use, possess, sell, purchase, manufacture, dispense or distribute, transport drugs or alcohol;
 - a. in the workplace, or while conducting or performing City business, regardless of location, or while operating or responsible for the operation, custody, or care of City equipment or other property;
 - b. on City time;
 - c. in City vehicles or facilities except as defined in City's facilities use policies;

- d. prior to coming to work, so that the employee's performance is impaired
3. Must notify his/her supervisor, before beginning work, when drugs (prescription or non-prescription) may interfere with the safe and effective performance of duties or operation of City equipment. In the event there is a question regarding an employee's ability to safely and effectively perform assigned duties while using prescribed drug, authorization from a qualified physician may be required.
4. Must notify his/her department head of any criminal drug or alcohol statute conviction, for a violation occurring in the workplace, no later than five (5) days after such conviction.
6. Who thinks he/she may have an alcohol or drug use problem is urged to voluntarily seek free confidential assistance from the City's Employee Assistance Program (EAP) counselor. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to job related performance problems.
7. Must notify his/her department head of all alcohol or criminal drug statute convictions no later than 5 days after such conviction. Off duty arrests or charges do not need to be reported and will not be used for disciplinary or employment purposes.
8. Must notify his/her supervisor, before beginning work, when drugs (prescription or non-prescription) may interfere with the safe and effective performance of duties or operation of City equipment (See Attachment A, Article III, Section 3).
9. Who thinks he/she may have an alcohol or drug use problem is urged to voluntarily seek free confidential assistance from the City's Employee Assistance Program (EAP) counselor. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to job related performance problems.

F. MANAGERS' AND SUPERVISORS' RESPONSIBILITIES

1. Managers and supervisors are responsible for enforcement of this policy and will inform the Department Head and the Human Resources Manager of any violations.
2. Employees who may have a suspected alcohol or drug use problem should be encouraged to voluntarily seek confidential assistance from the City's Employee Assistance Program (EAP).
3. When an employee is involved in an accident, or there is reasonable suspicion, managers and supervisors shall prevent the employee from engaging in further work, remove the employee from the workplace, and then take the employee for a drug and/or alcohol test within the timelines outlined in Section D.2 above.

Managers and supervisors will participate in appropriate training on alcohol and drug abuse evaluation. When based on their direct observation, it is suspected that an employee may have illegal drugs, that manager would perform a written evaluation or request a trained evaluator to complete a written evaluation.

5. Managers and supervisors are responsible for complying with federal grant money including notification sanction associated with drug convictions or use of drugs in the workplace (41. U.S.C. Section 707-717).

G. PROCEDURES TO BE USED FOR DETECTION OF DRUGS AND ALCOHOL

1. Alcohol Testing:

Alcohol testing will be conducted by using an evidential breath device (EBT) approved by the National Highway Traffic Safety Administration. (Non-EBT devices may be used for initial screening tests.)

A screening test will be conducted first. If the result is an alcohol concentration level of less than 0.02, the test is considered a negative test. If the alcohol concentration level is 0.02 or more, a second confirmation test will be conducted. A positive test for alcohol means a confirmed alcohol concentration of 0.08 or more.

The procedures that will be utilized by the collection and testing of the specimen shall be the same as those required under the City of Carpinteria Drug and Alcohol Testing Policy Pursuant To Department of Transportation Regulations (49 CFR 40).

2. Drug Testing:

Drug testing will be considered pursuant to the same requirements as those required by the City of Carpinteria Drug And Alcohol Testing Policy Pursuant To Department Of Transportation Regulations (49 CFR Part 40).

- a. The urine specimen will be split into two (2) bottles labeled as primary” and “split” specimen. Both bottles will be sent to the lab;
- b. A positive test means a test that is positive for controlled substances under the Federal D.O.T. Urine Specimen Testing Levels. If the urinalysis of the primary specimen test positive for the presence of controlled substances, the employee has seventy-two (72) hours to request that the split specimen be analyzed by a different certified lab at the employee’s cost.
- c. The urine sample will be tested for the following: marijuana, cocaine, opiates, amphetamines, and phencyclidine;

- d. If the test is positive for one or more of the drugs, a confirmation test will be performed using gas chromatography/mass spectrometry analysis;
- e. All drug results will be reviewed and interpreted by a physician before they are reported to the employee and then to the City;
- f. With all positive drug tests, the physician (a.k.a. Medical Review Officer) will first contact the employee to determine if there is an alternative medical explanation for the positive test result. If documentation is provided and the MRO determines that there was legitimate medical use for the prohibited drug, the test result may be reported to the City as "negative."

3. Confidentiality:

The confidentiality of records shall be maintained in the same manner as set forth in the City of Carpinteria Drug and Alcohol Testing Policy Pursuant to Department Of Transportation Regulations.

H. CONSEQUENCES OF FAILING/REFUSING AN ALCOHOL AND/OR DRUG TEST:

FAILING A PRE-EMPLOYMENT DRUG TEST WILL BE GROUNDS FOR REJECTION FROM EMPLOYMENT.

UPON FAILING A REASONABLE SUSPICION AND/OR POST-ACCIDENT ALCOHOL AND/OR DRUG TEST THE EMPLOYEE:

- 1. Will be removed from driving or operating any heavy or dangerous equipment;
- 2. May be disciplined up to termination. Failing/refusal to take a controlled substances/alcohol test may result in disciplinary action, up to including termination.
- 3. May be allowed to sign a last chance agreement as an alternative to discipline which could require the employee to undergo treatment to cure his/her alcohol or drug abuse and be tested periodically. Generally, an employee who tests positive and has not been found to be using alcohol or drugs on-duty will be offered a last chance agreement. The City does not pay for this examination or any treatment. However, if the exam and/or treatment is covered by the employee's insurance policy, the employee may use the insurance policy to (help) pay for the covered expenses.
- 4. The employee may use leave bank hours compensatory time hours or leave without pay while undergoing treatment/rehabilitation.
- 5. May not be returned to his/her position until the employee submits to a return-to-duty controlled substances and/or alcohol test (depending on which test the employee

failed) which indicates an alcohol concentration level of less than 0.08 or a negative result on a controlled substances test;

6. May be required to submit to unannounced follow-up testing after he/she has been returned to his/her safety-sensitive position for a period of one year.

J. EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City has established an Employee Assistance Program to help employees who need assistance with alcohol and controlled substance abuse. Employees are encouraged to contact the Human Resources/Risk Manager for the number of the current EAP provider.

APPENDIX C
CITY OF CARPINTERIA
PROHIBITION OF
HARASSMENT, DISCRIMINATION AND RETALIATION
POLICY

A. PURPOSE

It is the City's intent and the purpose of this Policy to provide all employees, officers and officials, applicants, interns, volunteers and contractors with an environment that is free from any form of unlawful harassment, discrimination or retaliation as defined in this Policy and as provided under federal and state law. This Policy prohibits unlawful harassment or discrimination on the basis of any of the following protected classifications: an individual's race, religion, color, sex (which includes gender, pregnancy, childbirth or related medical conditions), gender identity or expression, sexual orientation, national origin, ancestry, citizenship status, military and veteran status, veteran status, marital status, age for individuals over forty years of age, medical condition, physical or mental disability (whether perceived or actual), genetic information, and any other factor made unlawful by federal, state, or local law.

It is also the policy of the City to provide a procedure for investigating and addressing complaints of alleged harassment, discrimination and retaliation in violation of this Policy. The protection from harassment and discrimination includes protection from retaliation against an employee for his or her having taken action either as a complainant, or for assisting a complainant in taking action, participating in an investigation, or for acting as a witness or advocate on behalf of an employee in a legal or other proceeding to obtain a remedy for a breach of this Policy.

B. POLICY

The City has zero tolerance for any conduct that violates this Policy. Conduct need not rise to the level of a violation of law in order to violate this Policy. Instead, a single act can violate this Policy and provide grounds for discipline or other appropriate sanctions. If you are in doubt as to whether or not any particular conduct may violate this Policy, contact a manager, department head, or the Human Resources/Risk Manager, and, if applicable, do not engage in the conduct and seek guidance from a manager, department head or the Human Resources/Risk Manager.

C. DEFINITIONS

a. Protected Classifications:

This Policy prohibits harassment or discrimination because of an individual's protected classification(s). "Protected Classification" includes race, religion, color, sex (which includes gender, pregnancy, childbirth or related medical conditions), gender identity or expression, sexual orientation (including heterosexuality, homosexuality and bisexuality), national origin, ancestry, citizenship status, military status, veteran status, marital status, age, medical condition and physical or mental disability (whether perceived or actual).

b. Policy Coverage:

This Policy prohibits City officials, officers, employees, interns and contractors from harassing or discriminating against applicants, officers, officials, employees, interns and contractors because: (1) of an individual's Protected Classification, (2) of the perception that an individual has a Protected Classification, or (3) the individual associates with a person who has or is perceived to have a Protected Classification. Third parties such as visitors to City Hall are also prohibited from engaging such harassment or discrimination. Any such alleged harassment or discrimination should be reported immediately as provided in this Policy.

c. Discrimination:

This Policy prohibits treating individuals differently or otherwise discriminating against an individual because of the individual's Protected Classification as defined by this Policy.

d. Harassment:

By definition, harassment based on an individual's protected classification as defined by this policy, including sexual harassment, is not within the course and scope of an individual's employment with the City. Harassment includes verbal, physical, and visual conduct that creates an intimidating, offensive or hostile working environment or interferes with work performance. Such conduct constitutes harassment when (1) submission to the conduct is made either an explicit or implicit condition of employment; (2) submission to or rejection of the conduct is used as the basis for an employment decision; or (3) the harassment interferes with an employee's work performance or creates an intimidating, hostile or offensive work environment. Harassing conduct can take many forms and includes, but is not limited to, slurs, jokes, statements, gestures, pictures, or cartoons regarding an employee's Protected Classification. The following are some examples of behavior that can constitute harassment:

a. Verbal harassment, such as epithets (nicknames and slang terms), derogatory or suggestive comments, jokes or slurs, including graphic verbal commentaries about an individual's body, or that identify a person on the basis of his or her Protected Classification. Verbal harassment may include comments on appearance and stories that tend to disparage those of a Protected Classification.

b. Visual forms of harassment, such as derogatory posters, notices, bulletins, cartoons, drawings, sexually suggestive objects, or e-mails on the basis of a Protected Classification.

c. Physical harassment, such as assault, touching, impeding or blocking movement, grabbing, patting, propositioning, leering, making express or implied job related threats in return for submission to physical acts, mimicking, taunting, or any physical interference with normal work or movement.

d. Sexually harassing conduct in particular includes all of these prohibited actions as well as other unwelcome conduct such as requests for sexual favors, unwelcome sexual advances, or verbal or physical conduct of a sexual nature (like name calling, suggestive comments, or lewd talk).

e. Romantic or sexual relationships between supervisors and subordinate employees are discouraged. There can be an inherent imbalance of power and potential for exploitation in such relationships. The relationship may create an appearance of impropriety and lead to charges of favoritism by other employees. A welcome sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing. To avoid possible claims of sexual harassment, if a supervisor or manager intends to enter into a romantic or sexual relationship with a subordinate employee, the supervisor or manager must inform the Human Resources/Risk Manager so that appropriate steps can be taken to minimize the risk of possible claims of sexual harassment.

D. RETALIATION

Retaliation against an employee who reports or provides information in good faith about harassment or discrimination is strictly prohibited, as is retaliation against an employee for his or her having taken action either as a complainant, or for assisting a complainant in taking action, participating in an investigation, or for acting as a witness or advocate on behalf of an employee in a legal or other proceeding to obtain a remedy for a breach of this Policy. Any act of retaliation violates this Policy and will result in appropriate disciplinary action. Examples of actions that might be retaliation against a complainant, witness or other participant in the complaint process include: (1) singling a person out for harsher treatment; (2) lowering a performance evaluation; (3) failing to hire, failing to promote, withholding pay increases, assigning more onerous work, abolishing a position, demotion or discharge; or (4) real or implied threats of intimidation to prevent an individual from reporting harassment or discrimination.

Before a supervisor or manager attempts to insulate or protect a complainant by changing his or her work environment or schedule or duties or by transferring the complainant to another position or location, the supervisor or manager should contact the Human Resources/Risk Manager.

E. REPORTING HARASSMENT, DISCRIMINATION OR RETALIATION

An applicant, employee, officer, official, intern, volunteer or contractor who feels he or she has been harassed, discriminated against or retaliated against in violation of this Policy should report the conduct immediately as outlined below so that the complaint can be resolved quickly and fairly.

All employees involved in the complaint process may be represented by a person of their choosing and at their own expense.

1. Object to the Conduct

Sometimes an individual is unaware that his/her conduct violates this Policy. In these situations the offensive behavior may be eliminated by simply informing the offender that the conduct or language in question is unwelcome and offensive and request that it be discontinued immediately.

A person who believes he/she is being harassed is encouraged, but is not required to use this process. When the conduct in question continues after the offending person has been informed it is offensive, or if a person does not feel comfortable talking to the offending person directly, the employee should make a report in accordance with subsection 2 or 3 below.

2. Oral Report

If a person who believes that this Policy has been violated does not want to first speak with the offending person, he/she should report the conduct to a supervisor, any City management employee, or the Human Resources Manager. Any supervisory or management employee who receives such a report must in turn direct it to the Human Resources/Risk Manager. The Human Resources/Risk Manager will determine what level of investigation and response is necessary.

3. Written Process

An individual who believes this Policy has been violated and does not feel comfortable using the process outlined above may provide a written complaint to a supervisor, or any management employee who in turn must direct the complaint to the Human Resources/Risk Manager, or to the Human Resources/Risk Manager directly. Individuals are encouraged to use the Confidential Complaint Form for this purpose, a copy of which is attached to this Policy.

F. CITY'S RESPONSE TO COMPLAINT OF HARASSMENT, DISCRIMINATION OR RETALIATION

1. Investigation

Upon receipt of a complaint of alleged harassment, discrimination or retaliation, the Human Resources/Risk Manager will be responsible for coordinating a thorough investigation (unless he/she is named in the complaint). The Human Resources/Risk Manager may hire an outside investigator if the City deems appropriate. The type of investigation undertaken, and the party chosen to conduct the investigation will depend on the nature of the complaint made and will be determined by the Human Resources/Risk Manager. The Human Resources/Risk Manager will report the status of investigations to the City Manager as appropriate.

The Human Resources/Risk Manager, in concurrence with the City Manager, may take interim action to diffuse volatile circumstances, such as placing the alleged perpetrator on paid administrative leave or temporarily transferring the alleged perpetrator. Generally, no interim action should be taken to change the complaining individual's working conditions unless the complaining individual voluntarily consents to the temporary change or the Human Resources/Risk Manager determines that doing so is appropriate under the circumstances.

The City attempts to take a proactive approach to potential Policy violations and may conduct an investigation regarding possible harassment, discrimination or retaliation in appropriate circumstances, regardless of whether or not the recipient of the alleged action or a third party reports a potential violation.

At the conclusion of the investigation, if it is determined that the alleged conduct did not occur or that this Policy was not violated, the Human Resources/Risk Manager will notify the complainant and the alleged perpetrator, if appropriate, of the general conclusion(s) of the investigation and whether any further action is warranted.

2. Remedial and Disciplinary Action

If the investigation determines that the alleged conduct occurred or that the conduct otherwise violated this Policy, the City will notify the complainant and perpetrator of the general conclusion(s) of the investigation and take effective remedial action that is designed to discipline the perpetrator and deter future violations of this Policy. Any employee or officer determined to have violated this Policy will be subject to disciplinary action, up to and including termination. Disciplinary action may also be taken against any official, supervisor or manager who condones or fails to report potential violations of this Policy, or who otherwise fails to take appropriate action to enforce this Policy.

Any official contractor or other non-City employee found to have violated this Policy will be subject to appropriate sanctions.

3. Confidentiality

Every reasonable effort will be made to assure the confidentiality of complaints made under this Policy. Complete confidentiality cannot occur, however, due to the need to fully investigate potential Policy violations and take effective remedial action.

G. RESPONSIBILITIES OF EMPLOYEES, MANAGEMENT AND SUPERVISORY EMPLOYEES

1. Employees

In order to establish and maintain a professional working environment, while at the same time preventing harassment, discrimination, and retaliation, employees are expected to:

- Set an example of acceptable conduct by not participating in or provoking behavior that violates this Policy. Try not to be angry or insulted if an individual tells you that your behavior is offensive. People have different ethical values and standards and may be offended by behavior you think is proper. When appropriate, tell the individual you did not realize your behavior was offensive, and immediately cease the conduct.

- Let fellow employees know when you consider behavior offensive. The City hires people from a wide variety of cultural and ethnic backgrounds, and an individual may not realize behavior he or she thinks is proper could be seen by others as offensive.
- Report harassment, discrimination or retaliation as quickly as possible, whether the reporting employee is the target of the conduct or a witness.
- If an employee witness's harassment, he or she should report it to a supervisor, manager or the Human Resources Manager, and may tell the individual being harassed that the City has a policy prohibiting such behavior, and that he or she can demand that the harasser cease the behavior or report is under this Policy.
- Fully cooperate with the City's investigation of complaints made under this Policy.

2. Managers and Supervisors

In addition to the responsibilities listed above, managers and supervisors are responsible for the following:

- Implementing this Policy by taking all complaints seriously and modeling behavior that is consistent with this Policy. Direct all complaints to the Human Resources Administrator.
- Take positive steps to eliminate any form of harassment, discrimination or retaliation observed or brought to his/her attention.
- No department director, manager, supervisor or other employee may retaliate through any action of intimidation, restraint, coercion or discrimination.
- Monitoring the work environment and taking appropriate action to stop potential Policy violations.
- When appropriate, follow up with those who have complained to ensure the behavior complained of has ceased.

H. Option to Report to Outside Administrative Agencies

Sexual harassment and retaliation for opposing sexual harassment or participating in investigations of sexual harassment are illegal. In addition to notifying the Company about harassment or retaliation complaints, affected employees may also direct their complaints to the California Department of Fair Employment and Housing (DFEH), which has the authority to conduct investigations of the facts. The deadline for filing complaints with the DFEH is one (1) year from the date of the alleged unlawful conduct. If the DFEH believes that a complaint is valid and settlement efforts fail, the DFEH may seek an administrative hearing before the California Fair Employment and Housing Council (FEHC) or file a lawsuit in court. Both the FEHC and the

courts have the authority to award monetary and non-monetary relief in meritorious cases. You can contact the nearest DFEH office or the FEHC at the locations listed in the City's DFEH poster or by checking the state government listings in the local telephone directory.

APPENDIX D RETURN TO WORK POLICY

Purpose

The purpose of this policy is to establish guidelines that the City may follow, should an employee have an extended absence due to illness or injury.

The City strives to assist employees to return to work at the earliest possible date following an injury or illness. However, this policy is not intended to supersede or modify the procedures applicable to employees eligible for reasonable accommodation or covered under leave provisions under the terms of this MOU or federal or state law.

The City cannot guarantee a transitional position and is under no obligation to offer, create or encumber any specific position for purposes of offering placement to such a position.

Inquiries about the reasonable accommodation for disabilities or employee leave rights should be directed to the Human Resources Department (HR).

Transitional Work

The City defines "transitional work" as temporary, light duty and/or modified work assignments within the employee's physical abilities, knowledge and skills.

When possible, in the discretion of the City, transitional positions will be made available to injured workers to minimize or eliminate time lost from work.

The policy only applies to regular full- and part-time employees who are on leave as a result of injury or illness.

In the event an employee refuses transitional work (outside the qualified employee's FMLA/CFRA benefits period) and the employee satisfies the restrictions and ability to perform the transitional position, the City is not obligated to provide an alternative position. In such cases, the City will notify the insurance carrier of the employee's refusal of the transitional work.

Procedures

To obtain a transitional assignment the employee must provide a statement from the employee's treating health care professional containing the following information:

- a) That treating health care professional has reviewed the employee's job description;
- b) That the employee cannot perform all of the essential functions of her/his job, identifying which essential functions cannot be performed;

- c) When the employee will be able to resume performing all essential functions of her/his job, with or without accommodation, and if accommodation will be required, the nature of that accommodation;
- d) If the treating health care practitioner cannot determine when the employee will be able to resume performing all essential functions of her/his job, when the employee will next be evaluated for that purpose;
- e) In addition, all other work limitations, such as restrictions on lifting, standing, sitting, walking, hours that can be worked and the like, so that the nature of possible transitional employment can be evaluated, and how long each of those limitations will be in place; and
- f) Any other limitation of the employee's ability to perform work for the City in a transitional position

If the treating health care provider provides the above information to the satisfaction of the City, and releases the employee to return to work on modified duty the City will review the information to determine if a transitional position for the employee is appropriate and transitional work falls within City business needs. Transitional positions are developed based on the physical capability of the worker, the business needs of the City and the availability of transitional work. The City will determine appropriate work hours, shifts, duration and locations of all work assignments. The City reserves the right in its sole discretion to determine the availability, appropriateness and continuation of all transitional work assignments. The assignment to a transitional position cannot exceed 6 months.

If the employee is offered a transitional position, a transitional position job description, including physical requirements, will be prepared for review and approval by the treating health care provider. Once approved, the employee will be provided a letter noting the treating health care provider's approval and the start date, hours, wage, duration and location of the transitional work assignment. The employee will be asked to sign the letter indicating his or her acceptance or refusal of the transitional work job offer and to return the letter to HR.

Any employee returning to a transitional position must not exceed the duties of the position or go beyond the doctor's restrictions. If any medical restrictions change, the employee must immediately notify his or her supervisor and provide the supervisor a copy of the new medical release. If, in the judgment of the City, the employee is unable to satisfactorily perform the duties of the transitional position, the City may end the employee's transitional work assignment. The City will keep its insurance carriers apprised of relevant information related to the provisions of this section and its application to employees.

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ATTACHMENT D

Red line Conditions of Employment for Management Personnel

**CITY OF CARPINTERIA
CONDITIONS OF EMPLOYMENT
FOR MANAGEMENT PERSONNEL**

EFFECTIVE ~~JULY 1, 2023~~ JULY 1, 2023

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CITY OF CARPINTERIA
CONDITIONS OF EMPLOYMENT FOR MANAGEMENT PERSONNEL
EFFECTIVE JULY 1, 2023

SECTION 1 CLASSIFICATION

Management ~~Employees- Personnel~~ for purposes of this Agreement, will include those employees in the following classifications: Management, Mid-Management and/or Supervisory and Professional.

Titles and salary bands for all classifications of employment designated as Management Personnel are set forth by resolution approved by the City Council.

<u>Position</u>	<u>Salary Grade</u>
<i>MANAGEMENT</i>	
Assistant City Manager	19
Community Development Director	19
Public Works Director/City Engineer	19
Administrative Services Director	19
Parks, Recreation and Public Facilities Director	19
<i>MID-MANAGEMENT/SUPERVISORY/PROFESSIONAL</i>	
Civil Engineer	18
Finance Manager	18
Human Resources/Risk Manager	16
Principal Planner	16
City Librarian	16
City Clerk	15
Public Works Supervisor	12
Chief Building Inspector/Plan Check	12
Environmental Program Manager	12
Program Manager	12
Parks and Facilities Maintenance Supervisor	12
Aquatics Superintendent	12
Community Engagement Library Specialist	12
Code Compliance Supervisor	11
Executive Assistant/Deputy Clerk (Confidential)	11

1.1 EMPLOYER/EMPLOYEE RELATIONSHIP:

An employee in this classification is classified as a salaried, at-will employee and not hired for any specified term. Accordingly, the employee is free to resign from their position at any time, with or without cause, upon oral or written notice to the City Manager and, similarly, the City may end its employment relationship with the employee or change their status (i.e., modify the position, implement a demotion, adjust wages, etc.) at any time, with or without cause, upon oral or written notice to the employee. None of the provisions of the Conditions of Employment for Management Personnel are intended to modify this employment relationship.

1.2 PERSONNEL RULES:

Employees serving in Management, Mid-management, Supervisory and Professional positions are exempt from the City's Personnel Rules. They are "at-will" employees, serving at the pleasure of the City Manager. By the executive, administrative and/or technical nature of their positions, they have been determined to be exempt from the overtime requirements of the Federal Fair Labor Standards Act.

SECTION 2 WORK SCHEDULE

2.1 REPORTING:

Management Employees are classified as salaried employees. All employees for the City of Carpinteria are required to report hours worked on a daily time sheet; however, as salary-status employees, tracking of hours for this category of employees is for internal use only and does not affect the salary of exempt employees.

2.2 FLEXTIME SCHEDULING:

While Management Employees are required to work the hours necessary to perform the job duties and responsibilities, employees may have the option to participate in an alternate 9/80 work schedule based on a flexible 9 day/80 hour pay period (eight 9-hour days and one 8-hour day) for general work scheduling purposes. Each employee electing to participate in flextime scheduling must select a Monday or Friday as their designated flex day off, the alternate Monday or Friday will be their 8-hour day. The daily work schedule will begin at 7:30 a.m. and end at 5:30 p.m.

The flexible work schedule and flex day selected is subject to the operational needs and requirements of the department as determined by the City Manager. Management Employees may be required or find it necessary to work additional hours outside their flexible schedule. For scheduling purposes, any change from the established flex day, must be approved in advance by the City Manager.

The program will be evaluated on an on-going basis regarding personal performance standards, as well as monitoring staffing needs to ensure that the public is being appropriately served. Continuation of such schedules shall be subject to review and approval of the City Manager.

The City Manager reserves the right to remove any (or all) employees from flexible work schedules. To the extent possible, two weeks advance written notice will be provided to the employee. An employee shall not be removed from a flexible work schedule for arbitrary or capricious reasons.

2.3 FLEXIBLE HOURS:

Compensatory hours will not be granted for hours worked in excess of regularly scheduled hours for this category of employees, however, Management Employees, although exempt from the overtime requirements of FLSA, may accrue flex hours for hours worked beyond their regularly scheduled work day.

Hours worked in excess of a regularly scheduled work day, i.e., eight 9- hour days and one 8- hour day in a pay period for Management Employees on a 9/80 flex schedule, will be recorded on a computerized time sheet as accrued flex hours. For Management Employees on a 10/80 schedule, hours worked in excess of an 8-hour day will be recorded as "hours accrued". Flex hours accrued do not have a cash-out value, and Management Employees will not receive compensation for unused accrued flex hours at the time of separation from employment.

2.4 ABSENCES:

Management Employees may use accrued flex hours instead of their accrued leave back for absences of less than a full day, if the employee has worked a minimum of two hours and has approval of the City Manager to be absent.

2.5 LEAVE:

Any absence of one day or more, for other than City business, will be appropriately recorded and deducted from the employee's leave bank or accrued flex flextime hours. With prior approval from the City Manager, in addition to a regularly scheduled flex day, a management employee participating in the 9/80 alternate flextime scheduling may take one additional flex day off within a given pay period if there are sufficient accrued flex hours to cover the time.

2.6 CARRY OVER OF FLEXTIME HOURS:

A maximum of forty (40) flextime hours may be carried forward from one fiscal year to the next. Effective the first full pay period in July, adjustments on accrued flex hours will be made. Anything less than forty (40) hours and negative balances will be carried forward as they appear on the last full pay period in June.

SECTION 3 COMPENSATION AND BENEFITS

3.1 PAY STATUS:

A Management Employee is considered to be in pay status and eligible for benefits under any of the following circumstances:

- (1) While working regular hours
- (2) While on authorized Leave Bank hours
- (3) While on authorized Injured on Duty (IOD) status
- (4) While on authorized jury duty
- (5) While on flex hours

The City Manager may authorize coverage of benefits on an individual basis for employees on authorized leave without pay for a period of up to four (4) months when it is deemed appropriate or is otherwise required by law.

3.2 METHOD OF PAYMENT:

Employees shall be paid on a bi-weekly basis and pay checks will be available on the Thursday afternoon following the close of the regular pay period unless holidays or circumstances beyond the control of the City occur in which case all necessary action will be taken to insure that individual pay checks are available with a minimum of delay.

Employees are encouraged to take advantage of direct deposit of payroll checks. Upon request, payroll checks may be directly deposited to an employee's checking or savings account.

3.3 BASE WAGE ADJUSTMENT:

A. Effective the first full pay period after July 1, ~~the~~ Management ~~Personnel~~ ~~Employees listed in Section 1, (Classification), may be eligible to~~ shall have their base wages adjusted pursuant to the results of an annual performance-based employee evaluation. ~~The evaluation format shall be determined by the City Manager or their designee~~

~~The review shall include a Performance Rating of one of five categories:~~

- ~~• Unacceptable~~
- ~~• Needs Improvement;~~
- ~~• Contributor;~~
- ~~• Valued Performer;~~
- ~~• High Performer.~~

B. Newly hired employees and promoted employees will have a 12-month performance-based evaluation on their one-year anniversary from date of hire or promotion and may receive a base wage adjustment pursuant to the results of the evaluation and within the position salary range of the classification. Thereafter, an employee shall be moved to a July 1 annual Performance

Evaluation period, including pro-ration of any salary adjustment if appropriate, per the following table:

<u>EMPLOYMENT OR PROMOTION DATE*</u>	<u>1ST YEAR PRO-RATION OF ELIGIBLE INCREASE</u>
<u>July</u>	<u>100.00%</u>
<u>August</u>	<u>91.67%</u>
<u>September</u>	<u>88.33%</u>
<u>October</u>	<u>75.00%</u>
<u>November</u>	<u>66.67%</u>
<u>December</u>	<u>50.00%</u>
<u>January</u>	<u>58.33%</u>
<u>February</u>	<u>41.67%</u>
<u>March</u>	<u>33.33%</u>
<u>April</u>	<u>25.00%</u>
<u>May</u>	<u>16.67%</u>
<u>June</u>	<u>8.33%</u>

*If employment or promotion date is on or after the 15th of the month, the following month's proration amount shall be applied.

C. The result of the Performance Rating shall be used by the City Manager to determine the appropriate range of increase to the base wage as illustrated in the Merit Increase Matrix. The exact increase within the range provided for in the Matrix shall be determined by the City Manager.

MERIT INCREASE MATRIX

	<u>Salary Relative to Position Control Point</u>		
	<u>84.2105%</u> <u>to</u> <u>94.7368%</u>	<u>94.7369%</u> <u>to</u> <u>105.2632%</u>	<u>105.2633%</u> <u>to</u> <u>115.7895%</u>
<u>Rating</u>			
<u>4.6 and Above</u>	<u>8.0000%</u>	<u>7.0000%</u>	<u>6.0000%</u>
<u>4.4</u>	<u>7.5000%</u>	<u>6.5000%</u>	<u>5.5000%</u>
<u>4.2</u>	<u>7.0000%</u>	<u>6.0000%</u>	<u>5.0000%</u>
<u>4.0</u>	<u>6.5000%</u>	<u>5.5000%</u>	<u>4.5000%</u>
<u>3.8</u>	<u>6.0000%</u>	<u>5.0000%</u>	<u>4.0000%</u>
<u>3.6</u>	<u>5.5000%</u>	<u>4.5000%</u>	<u>3.5000%</u>
<u>3.4</u>	<u>5.0000%</u>	<u>4.0000%</u>	<u>3.0000%</u>
<u>3.2</u>	<u>4.5000%</u>	<u>3.5000%</u>	<u>2.5000%</u>

<u>3.0</u>	<u>4.0000%</u>	<u>3.0000%</u>	<u>2.0000%</u>
<u>Less than 3.0</u>	<u>0.0000%</u>	<u>0.0000%</u>	<u>0.0000%</u>

D. All wage increases are subject to availability of funds as authorized by City Council. ~~Should fiscal constraints limit full funding of wage increases, all authorized base wage increases shall be reduced by an equal percentage.~~

MERIT INCREASE MATRIX

		Position and Range		
		Lower Third Min- to 90% of CP	Middle Third 90.1% of CP to CP	Upper Third CP to Maximum
Performance Rating	High Performer	11 ½ to 12 ½%	10 to 11%	9 ½ or to Range Max
	Valued Performer	8 ½ to 9 ½%	7 ½ to 8%	6 ½ to 7% or to Range Max
	Contributor	5 ½ to 6%	4 to 5%	0
	Needs Improvement	0	0	0
	Unacceptable	0	0	0

3.4 DEFERRED COMPENSATION PROGRAM:

A deferred compensation plan will be available to Management Employees with participation on a voluntary basis.

3.5 STATE DISABILITY INSURANCE:

The City participates in the State Disability Insurance Program to provide coverage for non-industrial injuries. As a benefit, the City reimburses Management Employees in this classification for payroll deductions made on base salary for State Disability Insurance.

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City of Carpinteria

COUNCIL AGENDA STAFF REPORT July 24, 2023

ITEM FOR COUNCIL CONSIDERATION

Adoption of Ordinance No. 768 and Resolution No. 6262 concerning:

- a. Amending Municipal Code Chapter 2.20.070 Public Works Department and Chapter 2.20.080 Parks, Recreation, and Public Facilities Departments, to reflect the reorganization; and,
- b. Revising the Public Works Director position description to account for the added responsibilities.

STAFF RECOMMENDATION

1. Approve first reading of Ordinance No. 768, amending Carpinteria Municipal Code Section 2.20 as follows:
 - a. Section 2.20.070: Retitle the Street Maintenance division to Maintenance; retitle Street Maintenance and Right-of-Way Maintenance programs to Street and Right-of-Way Maintenance; establish the Fleet Maintenance program; and establish the Parks and Facilities Maintenance program.
 - b. Section 2.20.080: Retitle Parks, Recreation, and Public Facilities department and Parks Division to Parks, Recreation, and Community Services department.
2. Adopt Resolution No. 6262, thereby updating the job duties of the Public Works Director position description to update language and positions supervised.

Sample Motion: I move to:

1. Approve Ordinance No. 768, on first reading, and
2. Adopt Resolution No. 6262 as read by title only.

(This motion requires reading of ordinance title and a roll call vote.)

BACKGROUND

On June 5, 2023, the City Council adopted Resolution No. 6250, approving the title and job description change of Parks, Recreation, and Public Facilities Director to Parks,

Recreation, and Community Services Director. The changes also resulted in a reorganization of functions between the Public Works Department and Parks, Recreation, and Public Facilities Department, respectively. Staff was directed to return with an amendment to Carpinteria Municipal Code Chapter 2.20 (City Departments) and revise the job description of the Public Works Director position to reflect such changes.

The purpose of this agenda matter is to allow the City Council the opportunity to take the actions related to the City Manager's recommendations concerning the organizational and job description changes described.

DISCUSSION

Ordinance No. 768

Pursuant to Carpinteria Municipal Code Section 2.08.110 (Powers and duties designated), the City Manager, in part, makes recommendations to the City Council concerning any reorganization of offices, positions, departments or units as necessary to further the interest of efficient, effective, and economical conduct of City business. With the forthcoming retirement of the Parks, Recreation, and Community Services Director (formerly titled as Parks, Recreation, and Public Facilities Director), staff conducted an assessment of the functions pertaining to the programs and divisions within the Parks, Recreation, and Community Services Department.

Staff recommends for Carpinteria Municipal Code Chapter 2.20 (City Departments) to be amended as follows:

2.20.070 Public works department

Divisions:

Engineering.

Programs: Department administration;
 Capital improvements;
 Transportation, parking, and lighting.

Sustainability and Environment.

Programs: Resource Conservation;
 Solid Waste Management;
 Watershed Management.

Street Maintenance.

Programs: Street and right-of-way maintenance;

~~Right-of-way maintenance.~~
~~Fleet maintenance;~~
Parks and facilities maintenance.

SECTION 4. CMC 2.20.080, Parks and recreation department, is amended to read as follows:

2.20.080 Parks, recreation, and ~~public facilities~~ community services department

Divisions:

Parks ~~& public facilities.~~

Programs: Department administration;
Parks ~~and facilities improvement and maintenance;~~
Recreation.

Programs: Community pool services;
Ocean beach services;
Special events.

Municipal Library.

Programs: Collection; learning; community programs and events.

The proposed Ordinance No. 768, as shown as Attachment A, shows such amendments.

Resolution No. 6262

The proposed Resolution No. 6262, as shown as Attachment B, updates the job description of the Public Works Director. By transferring parks and facilities maintenance to the Public Works Department under the direction of a single department head, the maintenance functions including job training, safety meetings, and other related activities can be more easily coordinated as well as maximizing cross-training opportunities in order to strengthen the City's ability to prepare for and respond to service requests and emergency incidents. The proposed updates do not include a change to salary and/or benefits. Therefore, there is no financial impact to the City's budget. The annotated job description is shown as Attachment C.

POLICY CONSISTENCY

City Manager recommendations are consistent with the approved Annual Work Plan and priorities set by City Council, including several current, forming, and future programs, as well as recruitment and retention goals. In addition, City Manager

recommendations are consistent to the City's mission to provide services consistent with community needs and to make judicious use of City resources to promote the highest possible quality of life for all Carpinteria residents.

FINANCIAL CONSIDERATIONS

There is no financial impact in approving Ordinance No. 768 and Resolution No. 6262.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

Pursuant to Carpinteria Municipal Code Section 2.08.110, the reorganization of offices, positions, departments, or units may be recommended by the City Manager and approved by City Council.

OPTIONS

- A. Approve Ordinance No. 768 (first reading) and adopt Resolution No. 6262. (Staff recommendation)
- B. Decline approval of Ordinance No. 768 (first reading) nor adopt Resolution No. 6262 and provide direction to staff as appropriate.

PRINCIPAL PARTIES EXPECTED AT MEETING

None.

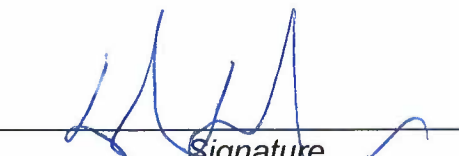
ATTACHMENTS

Attachment A: Ordinance No. 768
Attachment B: Resolution No. 6262
Attachment C: Public Works Director Position Job Description (annotated)

Staff contact:
Michael Ramirez, Assistant City Manager
(805) 755-4450; MichaelR@carpinteriaca.gov


Signature

Reviewed by:
Dave Durflinger, City Manager
(805) 755-4400; daved@carpinteriaca.gov


Signature

ATTACHMENT A

Ordinance No. 768

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ORDINANCE NO 768.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CARPINTERIA, CALIFORNIA, AMENDING CHAPTER 2.20, CITY
DEPARTMENTS, CONCERNING THE RETITLING AND
REORGANIZATION OF CERTAIN DEPARTMENTS, DIVISIONS AND
PROGRAMS.**

WHEREAS, Carpinteria Municipal Code Chapter 2.20 establishes Departments and divisions of the City for carrying out programs under the direction and supervision of the City Manager; and

WHEREAS, the City Manager is recommending changes to certain titles, divisions, and programs in order to support the effective and efficient delivery of necessary and desired programs to the Carpinteria community via the City organization; and

WHEREAS, the City Council has considered the recommendations of the City Manager at a duly noticed public meeting.

**THE CITY COUNCIL OF THE CITY OF CARPINTERIA DOES ORDAIN AS
FOLLOWS:**

SECTION 1. INCORPORATION OF RECITALS

The above recitals are true and correct and are incorporated herein, and are each relied upon independently by the City Council for its adoption of this Ordinance.

SECTION 2. CMC 2.20.020, Departments created and designated, section E, is amended to read as follows:

E. Parks, recreation, and community services.

SECTION 3. CMC 2.20.070, Public works department, is amended to read as follows:

2.20.070 Public works department

Divisions:

Engineering.

Programs: Department administration;

Capital improvements;

Transportation, parking, and lighting.

Sustainability and Environment.

Programs: Resource Conservation;

Solid Waste Management;

Watershed Management.

Maintenance.

Programs: Street maintenance;

Fleet maintenance;

Parks and facilities maintenance.

SECTION 4. CMC 2.20.080, Parks and recreation department, is amended to read as follows:

2.20.080 Parks, recreation, and community services

Divisions: Parks

Programs: Department administration;

Parks.

Recreation.

Programs: Community pool services;

Ocean beach services;

Special events.

Municipal Library.

Programs: Collection; learning; community programs and events.

SECTION 5: EFFECTIVE DATE

This Ordinance shall take effect and be in force and effect thirty (30) days from and after its passage; and before the expiration of fifteen (15) days of its passage shall be published once with the names of the members of the City Council voting for and against the same in the Coastal View, a newspaper of general circulation, published in the City of Carpinteria, County of Santa Barbara adoption pursuant to California Government Code section 36937.

SECTION 6: SEVERABILITY

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decisions shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance, and each and all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION 7: CEQA EXEMPTION

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines §15060(c)(3) (this activity is not a "project" as defined in §15378), and or §15307(actions taken by regulatory agencies for protection of natural resources) and 15308(actions taken by regulatory agencies for protection for the environment).

SECTION 8. CERTIFICATION

The City Clerk shall certify to the passage and adoption of this Ordinance.

PASSED, APPROVED AND ADOPTED on July 24, 2023, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

Mayor, City of Carpinteria

ATTEST:

Brian C. Barrett, CMC, CPMC
City Clerk, City of Carpinteria

I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held on July 24, 2023.

Brian C. Barrett, CMC, CPMC
City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria

ATTACHMENT B

Resolution No. 6262

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RESOLUTION NO. 6262

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF CARPINTERIA APPROVING REVISION OF THE
PUBLIC WORKS DIRECTOR JOB DESCRIPTION**

WHEREAS, on June 5, 2023, City Council approved the reclassification of the Parks, Recreation and Public Facilities Director position to Parks, Recreation, and Community Services Director and the proposed reorganization of functions between the Public Works and Parks, Recreation and Public Facilities Departments; and

WHEREAS, as a result of the reclassification and organizational changes, the duties related to parks, and facilities maintenance would transfer to Public Works; and

WHEREAS, the City Manager also wishes to recognize fleet maintenance as a program within the Public Works Department; and

WHEREAS, the City Council has received the recommendations of the City Manager and wishes to update language and positions supervised for the Public Works Director job description.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The above recitals are true and correct.

SECTION 2. The Public Works Director position description is amended to reflect the recommended changes.

SECTION 3. The revised position description attached as Exhibit 1, is approved.

PASSED, APPROVED AND ADOPTED on this 24th day of July, 2023, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

Mayor, City of Carpinteria

ATTEST:

Brian C. Barrett, CMC, CPMC
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 July 24, 2023.

Brian C. Barrett, CMC, CPMC
City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria



POSITION DESCRIPTION

POSITION TITLE: PUBLIC WORKS DIRECTOR/CITY ENGINEER

DEPARTMENT: Public Works

CLASSIFICATION: Full-time/Exempt

APPROVED BY: City Manager

REPORTING RELATIONSHIPS

POSITION REPORTS TO: CITY MANAGER

POSITIONS SUPERVISED: Civil/Associate/Assistant Engineer, Engineering Technician, Environmental Program Manager, Management Analyst I/II, Parks and Facilities Maintenance Supervisor, and Public Works Supervisor

POSITION PURPOSE

Hands-on department head position responsible for directing, planning, organizing, administering, and overseeing the services including operating programs of the Public Works Department; coordinates assigned activities with other City departments and outside agencies; provides responsible and complex administrative support to the City Manager; and serves as the designated City Engineer, City Traffic Engineer, and Floodplain Administrator. The position is a member of the City's management team.

ESSENTIAL FUNCTIONS AND BASIC DUTIES

- Develops the Department's annual work plan in response to the goals established by the City Council.
- Assumes full oversight responsibility of the Department including administration, capital improvements, transportation, parking, lighting, maintenance (facilities, fleet, parks, right-of-way, and streets), resource conservation, solid waste, and watershed management programs; and ensures services are provided according to City ordinances, rules, and regulations, and federal and state laws, standards, and codes.
- Administers policies, procedures, and standards for programs relating to Department activities; and ensures policies, procedures, and standards are administered equitably.
- Develops, plans, and implements Department goals and objectives.
- Performs professional civil engineering functions; and oversees and be in responsible charge of the preparation of engineering documents (plans, specifications, estimates, calculations, reports, and studies)

in accordance with City ordinances, rules, and regulations, federal and state laws, standards, codes, and industry-accepted practices.

- Manages the capital improvement program including the planning, design, and construction of capital improvement projects; and oversees construction management and inspection activities.
- Manages the engineering permit services including the review (engineering plan check) of private development projects and encroachment, transportation, and special event permits; and prepares entitlement conditions of approval; and collaborates with project stakeholders.
- Develops and manages budgets of Department operating programs.
- Prepares and presents staff reports of a complex nature regarding public works; and leads presentations in community meetings, workshops, and other public outreach events regarding public works.
- Advises the City Council, City Manager, and other City personnel regarding matters related to public works; responds to and resolves difficult and sensitive inquiries and concerns from members of the public.
- Develops or oversees the preparation and implementation preventative maintenance systems of City infrastructure.
- Recommends the selection of departmental employees; plan, organize and assign work; develop and establish work methods and standards; conduct or direct staff training and development; review and evaluate employee performance; execute disciplinary action.
- Represents the Department in relations with the community advisory committees, local, state and federal agencies, and professional organizations.
- Performs related duties and responsibilities as required by the City Manager.

QUALIFICATIONS

EDUCATION/CERTIFICATION:

- Equivalent to a Bachelor's degree from an accredited college or university with major course work in engineering, public administration or a related field.
- California registration as a Professional Engineer (PE) is desirable.
- Education requirements may be met through work experience that provides equivalent knowledge, abilities and technical skills.
- Possession of or ability to obtain an appropriate California driver's license. Must have good driving record.

REQUIRED KNOWLEDGE:

- Operations, services and activities of a municipal public works program.
- Modern principles, practices and economics that pertain to management, personnel administration, staffing, supervision; principles related to civil and traffic engineering, streets, parks, public buildings, and capital facilities planning.
- Principles and practices of budget preparation and administration.
- Engineering mathematics, theories, principles and formulas used in the design and construction of public works projects.
- Technical, legal and financial requirements involved in the conduct of municipal public works studies, planning and construction; techniques and methods of preparing designs, plans, specifications, estimates, and reports for proposed municipal facilities, including extensive computer skills.
- NPDES and ability to create and manage a comprehensive storm water program.

EXPERIENCE REQUIRED:

- Seven years increasingly responsible relevant experience in the public works field, at least three (3) years of which must be in a complex/supervisory capacity with progressively responsible management and administrative responsibility. Related civil and transportation engineering experience desirable.

- Experience in local government highly preferable.

SKILLS/ABILITIES:

- Plan, organize, direct and/or inspect all public works.
- Develop and administer department goals, objectives and procedures.
- Negotiate and manage substantial contracts.
- Analyze and assess programs, policies and operational needs and make appropriate adjustments; analyze problems, identify alternative solutions and implement recommendations in support of goals and develop comprehensive plans to satisfy future needs of department service.
- Interpret and apply local, State and Federal policies, laws and regulations.
- Make effective public presentations; communicate effectively both verbally and in writing; understand and follow verbal and written directions; establish and maintain effective working relationships with those contacted in the course of work.
- Maintain physical condition appropriate to the performance of assigned duties and responsibilities.
- Good technical writing skills.
- Strong analytical and problem-solving skills.
- Able to manage and coordinate subordinate personnel
- Basic computer skills (Microsoft Office and engineering software).
- Well organized.

PHYSICAL ACTIVITIES AND REQUIREMENTS OF THIS POSITION

FINGER DEXTERITY:	Using primarily just the fingers to make small movements such as typing, picking up small objects, or pinching fingers together.
TALKING:	Especially where one must frequently convey detailed or important instructions or ideas accurately, loudly, or quickly.
AVERAGE HEARING:	Able to hear average or normal conversations and receive ordinary information.
AVERAGE VISUAL ABILITIES:	Average, ordinary, visual acuity necessary to prepare or inspect documents or products, or operate machinery.
PHYSICAL STRENGTH:	Sedentary work; sitting most of the time. Exerts up to 10 lbs. of force occasionally.
WORKING CONDITIONS:	Work is performed both inside and outside, including working within designated construction area and in the public roadway right-of-way. Subject to weather. Frequent local travel.

MENTAL ACTIVITIES AND REQUIREMENTS OF THIS POSITION

REASONING ABILITY:	Ability to apply logical or scientific thinking to define problems, collect data establish facts and draw conclusions. Able to interpret a variety of technical instructions and can deal with multiple variables.

MATHEMATICS ABILITY: Ability to use advanced algebra, exponents, logarithms, linear equations, quadratic equations, mathematical induction and binomial theorem, permutations, calculus, and/or analytic geometry.

Able to perform basic statistical calculations including frequency distributions, reliability and validity of tests, normal curve, analysis of variance, correlation techniques, chi-square application and sampling theory, and factor analysis.

LANGUAGE ABILITY: Ability to read a variety of books, magazines, instruction manuals, atlases, and encyclopedias.

Ability to prepare memos, reports, and essays using proper punctuation, spelling, and grammar.

Ability to communicate distinctly with appropriate pauses and emphasis, correct pronunciation (or sign equivalent), and variation in word order using present, perfect, and future tenses.

Other Information

Pursuant to California Government Code Section 3100, all public employees are required to serve as disaster service workers subject to such disaster service activities as may be assigned to them by their supervisor or by law.

INTENT AND FUNCTION OF JOB DESCRIPTIONS

Job descriptions assist organizations in ensuring that the hiring process is fairly administered and that qualified employees are selected. They are also essential to an effective appraisal system and related promotion, transfer, layoff, and termination decisions. Well-constructed job descriptions are an integral part of any effective compensation system.

All descriptions have been reviewed to ensure that only essential functions and basic duties have been included. Peripheral tasks, only incidentally related to each position, have been excluded. Requirements, skills, and abilities included have been determined to be the minimal standards required to successfully perform the positions. In no instance, however, should the duties, responsibilities, and requirements delineated be interpreted as all inclusive. Additional functions and requirements may be assigned by supervisors as deemed appropriate.

In accordance with the Americans with Disabilities Act, it is possible that requirements may be modified to reasonably accommodate disabled individuals. However, no accommodations will be made which may pose serious health or safety risks to the employee or others or which impose undue hardships on the City.

Job descriptions are not intended as and do not create employment contracts. The City maintains its status as an at-will employer. Employees can be terminated for any reason not prohibited by law.

Approved:	February 2019
Revision Dates:	
Former Titles:	
Status:	Exempt
ADA Review:	
DOT:	No
Physical:	No

ATTACHMENT C

Public Works Director Position Job Description (annotated)

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POSITION DESCRIPTION

POSITION TITLE: PUBLIC WORKS DIRECTOR/CITY ENGINEER

DEPARTMENT: Public Works

CLASSIFICATION: Full-time/Exempt

APPROVED BY: City Manager

REPORTING RELATIONSHIPS

POSITION REPORTS TO: CITY MANAGER

POSITIONS SUPERVISED: Civil/Associate/Assistant Engineer, Engineering Technician, Environmental Program Manager, Management Analyst I/II, Parks and Facilities Maintenance Supervisor, and Public Works Supervisor Assistant to the PW Director, Engineering Consultants

POSITION PURPOSE

Hands-on department head position responsible for directing, planning, organizing, administering, and overseeing the services including operating programs of the Public Works Department; coordinates assigned activities with other City departments and outside agencies; provides responsible and complex administrative support to the City Manager; and serves as the designated City Engineer, City Traffic Engineer, and Floodplain Administrator. The position is a member of the City's management team.

ESSENTIAL FUNCTIONS AND BASIC DUTIES

- Develops the Department's annual work plan in response to the goals established by the City Council.
- Assumes full management oversight responsibility for all of the Department services including administration, capital improvements, transportation, parking, lighting, maintenance (facilities, fleet, parks, right-of-way, and streets), resource conservation, solid waste, engineering, street maintenance, and watershed management environment programs and sustainability services; and ensures services are

provided according to City ordinances, rules, and regulations, and federal and state laws, standards, and codes.

- Administers policies, procedures, and standards for programs relating to Department activities; and ensures policies, procedures, and standards are administered equitably.
- Develops, plans, and implements Department goals and objectives.
- Performs professional civil engineering functions; and oversees and be in responsible charge of the preparation of engineering documents (plans, specifications, estimates, calculations, reports, and studies) in accordance with City ordinances, rules, and regulations, federal and state laws, standards, codes, and industry-accepted practices.
- Manages the capital improvement program including the planning, design, and construction of capital improvement projects; and oversees construction management and inspection activities.
- Manages the engineering permit services including the review (engineering plan check) of private development projects and encroachment, transportation, and special event permits; and prepares entitlement conditions of approval; and collaborates with project stakeholders.
- Develops and manages budgets of Department operating programs.
- Prepares and presents staff reports of a complex nature regarding public works; and leads presentations in community meetings, workshops, and other public outreach events regarding public works.
- Advises the City Council, City Manager, and other City personnel regarding matters related to public works and facilities; responds to and resolves difficult and sensitive inquiries and concerns from members of the public.
- Develops or oversees the preparation and implementation preventative maintenance systems of City infrastructure.
- Recommends the selection of departmental employees; plan, organize and assign work; develop and establish work methods and standards; conduct or direct staff training and development; review and evaluate employee performance; execute disciplinary action.
- Represents the Department in relations with the community advisory committees, local, state and federal agencies, and professional organizations.
- Performs related duties and responsibilities as required by the City Manager.

QUALIFICATIONS

EDUCATION/CERTIFICATION:

- Equivalent to a Bachelor's degree from an accredited college or university with major course work in engineering, public administration or a related field.
- California registration as a Professional Engineer (PE) is desirable.
- Education requirements may be met through work experience that provides equivalent knowledge, abilities and technical skills.
- Possession of or ability to obtain an appropriate California driver's license. Must have good driving record.

REQUIRED KNOWLEDGE:

- Operations, services and activities of a municipal public works program.
- Modern principles, practices and economics that pertain to management, personnel administration, staffing, supervision; principles related to civil and traffic engineering, streets, parks, public buildings, and capital facilities planning.
- Principles and practices of budget preparation and administration.
- Engineering mathematics, theories, principles and formulas used in the design and construction of public works projects.
- Technical, legal and financial requirements involved in the conduct of municipal public works studies, planning and construction; techniques and methods of preparing designs, plans, specifications, estimates, and reports for proposed municipal facilities, including extensive computer skills.
- NPDES and ability to create and manage a comprehensive storm water program.

EXPERIENCE REQUIRED:

- Seven years increasingly responsible relevant experience in the public works field, at least three (3) years of which must be in a complex/supervisory capacity with progressively responsible management and administrative responsibility. Related civil and transportation engineering experience desirable.
- Experience in local government highly preferable.

SKILLS/ABILITIES:

- Plan, organize, direct and/or inspect ~~engineering work and all~~ public works ~~and facilities maintenance~~.
- Develop and administer department goals, objectives and procedures.
- Negotiate and manage substantial contracts.
- Analyze and assess programs, policies and operational needs and make appropriate adjustments; analyze problems, identify alternative solutions and implement recommendations in support of goals and develop comprehensive plans to satisfy future needs of department service.
- Interpret and apply local, State and Federal policies, laws and regulations.
- Make effective public presentations; communicate effectively both verbally and in writing; understand and follow verbal and written directions; establish and maintain effective working relationships with those contacted in the course of work.
- Maintain physical condition appropriate to the performance of assigned duties and responsibilities.
- Good technical writing skills.
- Strong analytical and problem-solving skills.
- Able to manage and coordinate subordinate personnel
- Basic computer skills (Microsoft Office and engineering software).
- Well-organized.

PHYSICAL ACTIVITIES AND REQUIREMENTS OF THIS POSITION

- FINGER DEXTERITY:** Using primarily just the fingers to make small movements such as typing, picking up small objects, or pinching fingers together.
- TALKING:** Especially where one must frequently convey detailed or important instructions or ideas accurately, loudly, or quickly.
- AVERAGE HEARING:** Able to hear average or normal conversations and receive ordinary information.
- AVERAGE VISUAL ABILITIES:** Average, ordinary, visual acuity necessary to prepare or inspect documents or products, or operate machinery.
- PHYSICAL STRENGTH:** Sedentary work; sitting most of the time. Exerts up to 10 lbs. of force occasionally.
- WORKING CONDITIONS:** Work is performed both inside and outside, including working within designated construction area and in the public roadway right-of-way. Subject to weather. Frequent local travel.

MENTAL ACTIVITIES AND REQUIREMENTS OF THIS POSITION

- REASONING ABILITY:** Ability to apply logical or scientific thinking to define problems, collect data establish facts and draw conclusions.
- Able to interpret a variety of technical instructions and can deal with multiple variables.
- MATHEMATICS ABILITY:** Ability to use advanced algebra, exponents, logarithms, linear equations,

quadratic equations, mathematical induction and binomial theorem, permutations, calculus, and/or analytic geometry.

Able to perform basic statistical calculations including frequency distributions, reliability and validity of tests, normal curve, analysis of variance, correlation techniques, chi-square application and sampling theory, and factor analysis.

LANGUAGE ABILITY:

Ability to read a variety of books, magazines, instruction manuals, atlases, and encyclopedias.

Ability to prepare memos, reports, and essays using proper punctuation, spelling, and grammar.

Ability to communicate distinctly with appropriate pauses and emphasis, correct pronunciation (or sign equivalent), and variation in word order using present, perfect, and future tenses.

Other Information

Pursuant to California Government Code Section 3100, all public employees are required to serve as disaster service workers subject to such disaster service activities as may be assigned to them by their supervisor or by law.

INTENT AND FUNCTION OF JOB DESCRIPTIONS

Job descriptions assist organizations in ensuring that the hiring process is fairly administered and that qualified employees are selected. They are also essential to an effective appraisal system and related promotion, transfer, layoff, and termination decisions. Well-constructed job descriptions are an integral part of any effective compensation system.

All descriptions have been reviewed to ensure that only essential functions and basic duties have been included. Peripheral tasks, only incidentally related to each position, have been excluded. Requirements, skills, and abilities included have been determined to be the minimal standards required to successfully perform the positions. In no instance, however, should the duties, responsibilities, and requirements delineated be interpreted as all inclusive. Additional functions and requirements may be assigned by supervisors as deemed appropriate.

In accordance with the Americans with Disabilities Act, it is possible that requirements may be modified to reasonably accommodate disabled individuals. However, no accommodations will be made which may pose serious health or safety risks to the employee or others or which impose undue hardships on the City.

Job descriptions are not intended as and do not create employment contracts. The City maintains its status as an at-will employer. Employees can be terminated for any reason not prohibited by law.

<u>Approved:</u>	<u>February 2019</u>
<u>Revision Dates:</u>	
<u>Former Titles:</u>	
<u>Status:</u>	<u>Exempt</u>
<u>ADA Review:</u>	
<u>DOT:</u>	<u>No</u>
<u>Physical:</u>	<u>No</u>