

City of Carpinteria
City Council Regular Meeting Agenda
Monday, February 12, 2024
Council Chamber, 5775 Carpinteria Avenue, Carpinteria, CA 93013

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

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/>.
- 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.
- Join the City's Zoom webinar 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.
- Spanish interpretation will be available at the in-person meeting and through the City's Zoom webinar.

Public Comments

- Provide a live public comment in City Council Chambers at City Hall (5775 Carpinteria Ave.).
- 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. 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, or (2) the **eComment** link on the City's agenda website available at <https://carpinteriaca.gov/city-hall/agendas-meetings/>.

Please reference the agenda item to which your comment pertains. Although 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.

Levine Act Warning

Applicants and their agents before the City Council are subject to the campaign disclosure provisions detailed in Government Code Section 84308. No City Council Member may accept, solicit, or direct a contribution of more than \$250 from any party or agent for 12 months following the date a final decision is rendered by the City. This prohibition commences when an application has been filed, or the proceeding is otherwise initiated. A party to a City proceeding—which includes both applicants and agents—shall disclose on the record of the proceeding any contribution of more than \$250 made to any Council Member by the applicant or agent, during the preceding 12 months. No party to a City proceeding, or agent, shall make a contribution to a Council Member during the proceeding and for 12 months following the date a final decision is rendered by the City. Prior to rendering a decision on a City proceeding, any Council Member who received contribution of more than \$250 within the preceding 12 months from any party, or agent, to a proceeding shall disclose that fact on the record of the proceeding, and shall be disqualified from participating in the proceeding. However, if any Council Member receives a contribution that otherwise would require disqualification, and returns the contribution within 30 days of knowing about the contribution and the relevant proceeding, the Council Member shall be permitted to participate in the proceeding. If you believe that these provisions apply to you or a Council Member, please inform the City Clerk at the earliest possible opportunity. Failure to do so may affect the City's ability to process your application.

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. Presentation of Proclamation Designating February 2024 as Black History Month. *(Proclamation previously approved at January 22, 2024 Council meeting.)*
2. Resolution No. 6289, Congratulating Contract Building Inspector Roy W. Harthorn on His Retirement and Commending and Thanking Him for 26 Years of Loyal and Dedicated Service to the City of Carpinteria. *(Requires approval prior to presentation of resolution.)*
3. Plaque Honoring Former City Manager Dave Durflinger's Service.
4. Presentation of Employee Service Awards.

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

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 or as otherwise specified below.

- a. Senior Services Programming
- b. City Employee Updates
- c. Updates on Capital Improvement Projects
- d. Updates on Development Applications
- e. Other City/Community Updates
- f. Planning Commission Actions – City Council may vote to appeal a decision of the Planning Commission to itself by majority vote (CMC 14.78.040(2))

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 Mayor may establish reasonable regulations for public comment based on the time available and/or the number of persons waiting to speak. Typically, the Council's practice has been to limit each speaker to three minutes. 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 January 22, 2024 and the special meeting held January 29, 2024.
6. Receive and file the Expenditures for the period beginning January 15, 2024 and ending February 2 , 2024.

ADMINISTRATIVE MATTERS:

7. Accept Proposal from VIDIFLO, LLC in the Amount of \$32,221.37 for Replacement of the Government Access Television (GATV) Equipment.

Recommendation: Accept Proposal from VIDIFLO, LLC in the amount of \$32,221.37 for replacement of the Government Access Television (GATV) equipment. *(This motion requires a roll call vote.)*

Staff Presenter: Brian C. Barrett, City Clerk

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

8. Request Letter to Cox Communications to Provide Public, Education, and Government (PEG) Channels in Hi-Definition (HD).

Recommendation: Approve and authorize the Mayor to sign a letter to COX Communications requesting COX provide hi-definition (HD) to public, education, and government (PEG) channels.

Staff Presenter: Brian C. Barrett, City Clerk

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

PUBLIC HEARING:

9. Continuation of Public Hearing for Approval of the Measure A Five-Year Local Program of Projects for Fiscal Years 2024-25 through 2028-29.

Recommendation: Open the public hearing, receive public comment, keep public hearing open, and continue the public hearing for approval of the Measure A Five-Year Local Program of Projects for Fiscal Years 2024-25 through 2028-29 to the March 11, 2024 Council meeting.

Staff Presenter: John L. Ilasin, Public Works Director

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

10. Approval and adoption of Resolution No. 6290, establishing Renter Relocation Assistance Payment amounts for No-Fault Just Cause Evictions pursuant to Carpinteria Municipal Code (CMC) Chapter 7.04.

Recommendation: Adopt Resolution No. 6290 (Attachment A), establishing Renter Relocation Assistance Payment amounts for No-Fault Just Cause Evictions pursuant to Carpinteria Municipal Code Chapter 7.04.

Staff Presenter: Mindy Fogg, Principal Planner

- 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:

11. Approval of standardized design for single-use dog parks within the City of Carpinteria (City), including at Monte Vista Park, and associated budget appropriation.

Recommendation: Approval of a (1) standardized design for single-use dog parks within the City including for the Monte Vista Pilot Project, and (2) a budget appropriation of \$12,000 from the General Fund Reserve to the Park Maintenance Fund for construction of the Monte Vista Pilot Project. *(This motion requires a roll call vote.)*

Staff Presenter: Aida Thau, Management Analyst II

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

12. Approve the first reading of Ordinance No. 777, an Ordinance of the City Council of the City of Carpinteria, amending Carpinteria Municipal Code Section 2.52 pertaining to abandoned and unattended personal property.

Recommendation: (1) Approve the first reading of Ordinance No. 777, amending CMC Section 2.52, as read by title only; (2) Find that approval and adoption of Ordinance No. 777 is exempt from 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 a roll call vote.)*

Staff Presenter: Michael Ramirez, 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: Stein & O'Connor)
- i. General Plan and Coastal Plan Update Committee (Joint Committee membership from City Council and Planning Commission) (Lee & Clark) (PC: Benefield and Salant)
- j. Public Facility Site Acquisition/Development Committee (Clark & Nomura)
- k. City Council Boards, Commissions and Committees Interview Committee (Clark & Nomura/ Alt. Lee)
- l. Sustainability Committee (Nomura & Solórzano)

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. Harbor Seal Advisory Committee (Solórzano & Alarcon)
 - e. Appointment Process Committee (Alarcon & Clark)
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

ADJOURNMENT

The next regular City Council meeting will be held February 26, 2024 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 Thursday, February 8, 2024, in the City Clerk's Office, on the City Hall Public Notices Board, and on the Internet.



PROCLAMATION

A PROCLAMATION OF THE CARPINTERIA CITY COUNCIL DESIGNATING FEBRUARY 2024 AS BLACK HISTORY MONTH

WHEREAS, the 2024 Santa Barbara County Theme is "Black History: More Than a Month;" and

WHEREAS, we honor Carter G. Woodson who established Negro History week in 1926. His intention was to bring to the public's attention to often overlooked important developments by African Americans that merit emphasis, education, and understanding; and

WHEREAS, the 2024 theme reflects, still, the need to call attention to these merits, but extend beyond just 29 days this year and how peoples that identify in the African diaspora in the United States and in Santa Barbara County, celebrate their history and culture year round; and

WHEREAS, Black History is a thread that connects us all and locally we are grateful to key figures who helped make our region stronger. Individuals like Horace McMillan, Anita Mackey, Valencia Nelson, Babatunde Folayemi, William Downey, Grover C. Barnes, and the late Sojourner Kincaid Rolle whose contributions helped to shape and make communities healthier; and

WHEREAS, Black History continues in the present as multi-generational efforts have been nurtured from the Martin Luther King, Jr. Santa Barbara Committee, Endowment for Youth Community, NAACP, Gateway Educational Services, Santa Barbara Young Black Professionals, Healing Justice Santa Barbara, Juneteenth Santa Barbara, and other amazing organizations taking up the mantle to continue the love and support for community year-round; and

WHEREAS, the national theme is African Americans and the Arts. African American artists have used art to preserve history and community memory as well as for empowerment. Artistic and cultural movements such as the New Negro, Black Arts, Black Renaissance, hip-hop, and Afrofuturism, have been led by people of African descent and set the standard for popular trends around the world; and

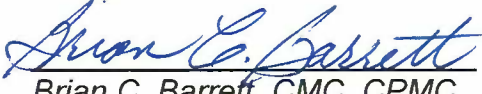
WHEREAS, Black History is not just about the struggles Black families have been through, but rather it is a time of rejoicing, celebrating accomplishments, integrity, leadership, and determination, and showing true character. We honor history and celebrate the progress that we have made. We are resilient and resolute in creating new opportunities for future generations.

NOW, THEREFORE, the City Council of the City of Carpinteria does hereby recognize February 2024 as Black History Month in our **CITY OF CARPINTERIA**, and calls on all residents to acknowledge and celebrate with appropriate ceremonies and activities.

IN WITNESS THEREOF, the Mayor hereunto set their hand and caused the Official Seal of the City of Carpinteria, California, to be affixed this 22nd day of January, 2024.


Al Clark, Mayor
City of Carpinteria

ATTEST:


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



RESOLUTION NO. 6289



**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CARPINTERIA,
CONGRATULATING CONTRACT
BUILDING INSPECTOR ROY W. HARTHORN
ON HIS RETIREMENT AND COMMENDING
AND THANKING HIM FOR 26 YEARS
OF LOYAL AND DEDICATED SERVICE TO
THE CITY OF CARPINTERIA**

WHEREAS, Roy Harthorn announced his retirement as Contract Building Inspector for the City of Carpinteria, with his last day with the City being November 15, 2023, the City Council on behalf of the people of the Carpinteria community, wish to express their appreciation to Mr. Harthorn and recognize his 26 years supporting the City of Carpinteria Community Development Department; and

WHEREAS, Mr. Harthorn's educational background includes a Bachelor of Arts in Physics & Astronomy from Sonoma State University; Post-Graduate Studies in Industrial Technology from California State University at Chico; and a Master's Degree in Public Administration from the California State University at Northridge; and

WHEREAS, over the course of his career, Roy received the following licenses and certificates: State of California Safety Assessment Program Inspector DSW, General Building Contractor, Certified Plans Examiner, Certified Building Official, and Certified Accessibility/Usability Specialist; and

WHEREAS, Roy spent a decade in the private industry designing residential developments, commercial facilities, and public works projects, and spent another decade at the City of Santa Barbara Community Development Department beginning as a Plan Check Engineer/Energy Design Specialist and being promoted to Assistant Building Official and finally Chief of Building and Safety/Zoning; and

WHEREAS, Roy is a highly respected expert in seismic safety and the retrofit of unreinforced masonry buildings, and has shared his knowledge and experience with many of the south coast jurisdictions; and

WHEREAS, Roy authored "Temporary Shoring & Stabilization of Earthquake Damaged Historic Buildings – Practical Considerations for Earthquake Response & Recovery in California". This valuable reference was created by Roy in response to a request from the California Department of Parks and Recreation, Office of Historic Preservation and the California Building Official Organization; and

WHEREAS, Roy started working for the City of Carpinteria as a Wildan employee in 1997 and then as a Code Consultant Contractor in 2001 providing building safety code/permitting, plan review, and field inspections; and

WHEREAS, in that time, Roy worked closely with and in support of City Building Inspectors Ted Delianedis (1997-2000), Jeff Keough (2000-2016), and Dan Chepley (2016 to present); and

WHEREAS, over the course of Roy's 26 years working with the City of Carpinteria, Roy oversaw the plan check and review of nearly every major development project, including but not limited to, multifamily residential developments; commercial buildings and tenant improvements; and mixed-use developments; and

WHEREAS, Roy's depth of expertise in building and safety, seismic safety, accessibility, and historical preservation provided critical support to City staff, private developers and architects in navigating the challenges and complexities often encountered in development projects; and

WHEREAS, Roy's solutions-oriented approach was highly appreciated by all who worked with him; and

WHEREAS, the City Council and staff recognize Roy as a truly dedicated professional.

NOW, THEREFORE, BE IT RESOLVED as follows:

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

SECTION 2. Roy W. Harthorn is congratulated on his well-deserved retirement and commended and thanked for his longtime support to the City's Community Development Department and the Carpinteria community.

SECTION 3. The City Council extends its best wishes to Roy W. Harthorn 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 12th day of February, 2024.

ATTEST:

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



Al Clark, Mayor, City of Carpinteria



THE CITY OF GARDENBURIA HONORS
DAVE DURLINGER
CITY MANAGER
2011 - 2023
A DEDICATED LEADER WHOSE LEGACY
OF UNWAVERING COMMITMENT HAS LEFT
AN ENDURING IMPACT ON THE CITY
ORGANIZATION AND COMMUNITY
WE THANK YOU FOR YOUR MANY YEARS
OF DEDICATED SERVICE



City of Carpinteria

COUNCIL AGENDA STAFF REPORT February 12, 2024

ITEM FOR COUNCIL CONSIDERATION

Presentation of Employee Service Awards

STAFF RECOMMENDATION

Non-action item

BACKGROUND

The City has established employee service awards to recognize its employees for their dedication to the City and the community. These awards commemorate milestones of five, ten, fifteen, twenty, twenty-five, thirty, and thirty-five years of service and stand as a testament to the unwavering commitment of our staff.

Employee recognition programs serve a vital role in fostering a positive work environment, boosting morale, and enhancing employee retention. As part of our ongoing efforts staff to continually enhance our workplace culture, staff is currently exploring and evaluating employee recognition practices implemented by other agencies.

Today, we are proud to recognize the following employees for their years of service to the City of Carpinteria:

FIVE-YEAR RECOGNITION

- Dan Chepley, Chief Building Inspector
- Tim Gray, Maintenance Worker II
- Robert Howard, Public Works Supervisor
- John Ilasin, Public Works Director
- Licette Maldonado, Administrative Services Director
- Henry Menendez, Code Compliance Officer II
- Maria Olivas, Office Assistant II
- Marysol Smith, Associate Planner

TEN-YEAR RECOGNITION

- Brian Barrett
- Erin Maker

FIFTEEN-YEAR RECOGNITION

- Nick Bobroff, Community Development Director
- Manny Gonzalez, Senior Parks and Facilities Maintenance Technician
- David Hernandez, Code Compliance Supervisor
- David Huff, Public Works Lead
- Anthony Vega, Maintenance Worker II

THIRTY-FIVE YEAR RECOGNITION

- Lorena Esparza, Administrative Assistant II

Staff contact:

Teresa Ilasin, Management Analyst II
(805) 755-4458: teresai@carpinteriaca.gov



Signature

Reviewed by: Michael Ramirez, City Manager
(805) 755-4450, michaelr@carpinteriaca.gov



Signature

CARPINTERIA LIBRARY BOARD OF TRUSTEES
5775 Carpinteria Avenue
Carpinteria, CA 93013

REGULAR MEETING AGENDA
MONDAY, FEBRUARY 12, 2024
5:30 P.M.

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 the Carpinteria Library Board of Trustees.
4. Approval of minutes of the regular meeting held January 8, 2024.
5. February 2024 Community Library Report.

Recommendation: Receive and file the report.
6. February 2024 Library Advisory Commission (LAC) Report.

Recommendation: (1) Receive update on new day/time of regular LAC meetings (2) Review options on youth involvement with LAC and request for direction (3) Adopt Carpinteria Community Library Materials Selection and Maintenance Policy.
7. New Business & Discussion.
8. Adjournment.

The Carpinteria Library Board of Trustees agenda and any associated staff reports will be available on Thursday, February 8, 2024 on the City's Website: <https://carpinteriaca.gov/city-hall/agendas-meetings/>. The Carpinteria Library Board of Trustees agenda and staff reports are part of the City Council agenda for its regular meeting of February 12, 2024. Please see "[TEMPORARY ADJOURNMENT FOR THE PURPOSE OF HOLDING THE MONTHLY MEETING OF THE CARPINTERIA LIBRARY BOARD OF TRUSTEES](#)." 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. This agenda was posted on Wednesday, February 8, 2024, in the City Clerk's Office, on the City Hall Public Notices Board, and on the Internet.

CARPINTERIA LIBRARY BOARD OF TRUSTEES
5775 Carpinteria Avenue
Carpinteria, CA 93013

REGULAR MEETING MINUTES
MONDAY, JANUARY 8, 2024

1. Call to order and roll call.

President Clark called the meeting to order at 5:47 pm.

Boardmembers present:	Boardmember Roy Lee Boardmember Wade T. Nomura Boardmember Mónica J. Solórzano Vice President Natalia Alarcon President Al Clark
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Staff members present:	Michael Ramirez, Chief Executive Officer Jena Shoaf Acos, Legal Counsel Jody Thomas, City Librarian Brian C. Barrett, Secretary
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2. Confirmation of legal noticing and procedural requirements of meeting.

Secretary Barrett acknowledged that all legal noticing and procedural requirements have been met.

3. Public Comment

Speakers in-person: Amie Rodriguez

Since Ms. Rodriguez's comments were not within the subject matter of the Library Board of Trustees, President Clark advised Ms. Rodriguez to make public comment after the City Council has reconvened.

4. Approval of minutes of the regular meeting held December 11, 2023.

There was no public comment.

Motion by Vice President Alarcon, seconded by Boardmember Nomura, to approve the minutes of the regular meeting held December 11, 2023. Upon voice vote, the motion carried unanimously.

5. January 2024 Carpinteria Community Library Report.

City Librarian Thomas presented the staff report.

There was no public comment.

Motion by Boardmember Solórzano, seconded by Boardmember Nomura, to receive and file the Carpinteria Community Library report. Upon voice vote, the motion carried unanimously.

6. Making an Appointment to the Library Advisory Commission.

Secretary Barrett presented the staff report.

Applicants Aja Forner and Daisy Gemberling (both present via Zoom) provided remarks.

There was no public comment.

The Board directed staff to have a discussion with the Library Advisory Commission about different options to include Ms. Gemberling in some sort of advisory position in the future and return to the Library Board of Trustees.

Motion by Boardmember Lee, seconded by Boardmember Nomura, to appoint Aja Forner to the Library Advisory Commission. Upon voice vote, the motion carried unanimously.

7. New Business & Discussion.

There was no new business nor discussion.

8. Adjournment.

President Clark adjourned the meeting at 6:20 pm.

Brian C. Barrett, CMC, CPMC, Secretary



City of Carpinteria

LIBRARY BOARD OF TRUSTEES AGENDA STAFF REPORT February 12, 2024

ITEM FOR LIBRARY BOARD OF TRUSTEES CONSIDERATION

February 2024 Community Library Report

STAFF RECOMMENDATION

Receive and file the report.

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

BACKGROUND

The Carpinteria Community Library, established by Ordinance 747 on June 14, 2021, and added to the Municipal Code, Chapter 2.38, also established a Library Board of Trustees (section 2.38.030) to meet at least once a month.

DISCUSSION

Homework Help, an online support tool for all ages, is a platform available to all residents of California through a grant by the California State Library. Homework Help provides students of all ages 24/7 access to qualified teachers who are able to provide homework support on a wide variety of subjects, including writing, social studies, and all levels of math. Local access to Homework Help is found on the Library's website and authenticated through geolocation. If a computer has an IP address in California, access to Homework Help is available, and free. In the case of writing support, students are asked to send the paper to the instructor, and can expect the edits and suggested revisions in 24 hours.

This resource has been available since July 2022. However, due to the State budget, this and other California State Library supported platforms are at risk of no longer being available at no cost to local libraries.

The platform is underutilized by local students, as can be seen by the statistical reports provided (Attachments A & B). Other platforms provided through grants by the California

State Library, and available through the Carpinteria Community Library at no-cost include:

- **LinkedIn Learning**, which offers more than 16,000 courses on a huge variety of topics for general learning and business skills.
- **Coursera**, which offers courses in business, bookkeeping, vocational career preparation, and more.
- **Learning Express**, which assists in exam preparation, including the California Basic Educational Skills Test (CBEST), California Real Estate Salesperson exam, and the California Police Officer Exam.
 - Courses include: Exam prep in plumbing, air traffic control, law enforcement, EMT, firefighter, nursing, teaching, adult education in Spanish, college placement exam prep.
 - Provides tools for resume building, interviewing, and job seeking.
 - Supplies tools for earning a high school equivalency diploma in California.
- New York Times, online.

In 2023, the Library logged 48 incidents that required intervention by staff or law enforcement. Incidents range from medical emergencies, bad behavior, unwillingness to follow the rules, offensive language or body odor, threatening behavior, and/or criminal behavior. With more than 50,000 people in the library last year, 48 incidents are not a high percentage. All but a very few incidents are handled by staff, and local law enforcement has been responsive and supportive when called. These incidents do not include people sleeping on the premises overnight, or loitering or littering, smoking, etc.

Incidents such as these have become common in libraries across the country and the State. Threatening behavior and bad behavior directed at library staff can be a difficult part of the job. Training on how to handle this type of behavior is available for library staff, specifically, through the State Library learning academy and other platforms. Courses on self-care and stress management are also a commonly requested courses for library staff.

The Library will be closed on the morning of February 29, 2024, for our first all staff training. How to support one another during incidents, suicide prevention measures, as well as improving operations will be some of the topics covered in this first training. The Library will be open 1:00pm – 6:00pm on February 29.

POLICY CONSISTENCY

The Library programs and resources are consistent with the actions of the City Council concerning the establishment of a municipal library.

FINANCIAL CONSIDERATIONS

There are no budget impacts as a result of this action.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

As determined necessary and appropriate, staff consults with the City Attorney's Office and risk managers of its insurance entity, the California Joint Powers Insurance Authority, in order to ensure compliance with legal requirements and best practices.

OPTIONS

1. Receive and file.
2. Direct staff as appropriate.

PRINCIPAL PARTIES EXPECTED AT MEETING

Library Advisory Commission representative.

ATTACHMENTS

Attachment A – HelpNow usage statistics July 1, 2023 – Jan. 1, 2024

Attachment B – HelpNow usage statistics January 2024

Staff contact: Jody Thomas, City Librarian
(805) 684-4314, jodyt@carpinteriaca.gov


Signature

Staff contact: Michael Ramirez, City Manager
(805) 755-4450, michaelr@carpinteriaca.gov


Signature

CARPINTERIA COMMUNITY LIBRARY HelpNow Report Period: 07/01/2023 - 01/01/2024

Created 01/03/2024 03:11PM

USAGE SUMMARY		vs CA State Library HelpNow Parent
Total Usage (Homework Help, Skills Building, Writing Lab, Test Center Visits, and Database Usage)	604	1,088,528
Database Usage	542	951,269
Homework Help, Skills Building, Writing Lab, and Test Prep Sessions	62	137,259
Homework Help/ Skills Building Sessions	59	132,093
Average Length of Tutoring Session (minutes)	15	12
Test Center Visits	3	948
Writing Lab Submissions	0	4,218
App Visits	55	12,396
ALC Visits	18	6,435
Unique Visits	97	144,822
SESSIONS BY LOCATION		vs CA State Library HelpNow Parent
CARPINTERIA COMMUNITY LIBRARY HelpNow	59	59
AVERAGE NUMBER OF SESSIONS PER HOUR OF THE DAY (MILITARY TIME)		vs CA State Library HelpNow Parent
13	0.08	27.52
14	0.08	31.12
17	0.05	39.41
9	0.03	10.1
16	0.04	36.75
19	0.09	44.1
20	0.03	48.72
22	0.07	35.51
23	0.07	25.1
24	0.06	15.39
1	0.03	7.67
2	0.03	4.35
3	0.06	1.61
4	0.03	1.54
5	0.03	2.03
11	0.03	24.23
15	0.1	31.99
18	0.07	38.71

Average:		0.06	21.73
AVERAGE NUMBER OF SESSIONS PER DAY OF THE WEEK			vs CA State Library HelpNow Parent
Saturday	0.84	351.2	
Sunday	0.5	439.23	
Monday	0.73	535.23	
Friday	0.75	430.89	
Tuesday	1.85	598.28	
Wednesday	0.85	620.16	
Thursday	0.32	617.63	
Average:	0.83	513.23	
TUTORING SUBJECTS REQUESTED %			vs CA State Library HelpNow Parent
Precalculus	44.07%	4.52%	
Reading Grade 9	25.42%	1.2%	
Math Grade 7	6.78%	3.65%	
Math Grade 5	5.08%	3.05%	
ESL	5.08%	0.47%	
Chemistry	3.39%	4.9%	
Biology	3.39%	3.58%	
Elementary Language Arts	1.69%	0.02%	
Math Grade 6	1.69%	4.34%	
Algebra 2	1.69%	7.68%	
Algebra 1	1.69%	5.66%	
SESSIONS BY LANGUAGE			
Language	Count	%	
English	59	100%	
TUTORING SERVICES BREAKDOWN			vs CA State Library HelpNow Parent
Homework Help	100.0%	96.91%	
DATABASE USAGE			vs CA State Library HelpNow Parent
App Usage	61%	36%	
Adult Learning Center	20%	16%	
Skill Surfer	13%	24%	

Flashbulb		6%	16%
eParachute		1%	7%
SKILLSURFER USAGE			
High School - CA			
Emotional Wellness	30.77%		
News Literacy	23.08%		
Safety and First Aid	23.08%		48.15%
Wellness Overview	15.38%		
World History to 1500	7.69%		
Computers and Technology			
Advanced	50.0%		22.22%
Google Tools	50.0%		
College			
Pre-Algebra	100.0%		11.11%
Adult Learner Resources			
U.S. Citizenship Test Preparation Guide	100.0%		11.11%
Life Skills			
Overview	50.0%		7.41%
Chess	50.0%		
POST-SESSION SURVEY			
*Boldfaced numbers represent yearly totals. Numbers in parentheses represent results for the current month.			
	No		
Were you satisfied with this session?	1%	(3%)	
	Yes		
	No		
Would you recommend this service to a friend?	100%	(100%)	0% (0%)
Are you glad your organization offers this service?	100%	(100%)	0% (0%)
For Students: Is this service helping you improve your grades?	100%	(100%)	0% (0%)
For Students: Is HelpNow helping you be more confident about your schoolwork?	100%	(100%)	0% (0%)

CARPINTERIA COMMUNITY LIBRARY HelpNow Report Period: 01/01/2024 - 02/01/2024

Created 02/01/2024 03:51PM

USAGE SUMMARY		vs CA State Library HelpNow Parent
Total Usage (Homework Help, Skills Building, Writing Lab, Test Center Visits, and Database Usage)	70	135,434
Database Usage	58	115,554
Homework Help, Skills Building, Writing Lab, and Test Prep Sessions	12	19,880
Homework Help/ Skills Building Sessions	12	19,298
Average Length of Tutoring Session (minutes)	6	13
Test Center Visits	0	223
Writing Lab Submissions	0	359
App Visits	25	2,001
Unique Visits	19	23,706
SESSIONS BY LOCATION		vs CA State Library HelpNow Parent
CARPINTERIA COMMUNITY LIBRARY HelpNow	12	12
AVERAGE NUMBER OF SESSIONS PER HOUR OF THE DAY (MILITARY TIME)		vs CA State Library HelpNow Parent
19	0.06	55.91
20	0.13	69
21	0.1	61.98
22	0.03	34.11
23	0.03	31.5
24	0.03	15.84
Average:	0.06	25.88
AVERAGE NUMBER OF SESSIONS PER DAY OF THE WEEK		vs CA State Library HelpNow Parent
Tuesday	1.25	1,054.5
Wednesday	1.5	867
Saturday	0.25	314.75
Average:	1	684.04
TUTORING SUBJECTS REQUESTED %		vs CA State Library HelpNow Parent
Reading Grade 9	75.0%	1.01%
Social Studies Grade 9	16.67%	0.09%

SESSIONS BY LANGUAGE		
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Language	Count	%
English	12	100%

TUTORING SERVICES BREAKDOWN		vs CA State Library HelpNow Parent
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Homework Help	100.0%	98.17%
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DATABASE USAGE		vs CA State Library HelpNow Parent
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App Usage	100%	29%
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POST-SESSION SURVEY		
*Boldfaced numbers represent yearly totals. Numbers in parentheses represent results for the current month.		

	No	
Were you satisfied with this session?	2% (0%)	
	Yes	No
Would you recommend this service to a friend?	100% (0%)	0% (0%)
Are you glad your organization offers this service?	100% (0%)	0% (0%)
For Students: Is this service helping you improve your grades?	100% (0%)	0% (0%)
For Students: Is HelpNow helping you be more confident about your schoolwork?	100% (0%)	0% (0%)



City of Carpinteria

LIBRARY BOARD OF TRUSTEES AGENDA LIBRARY ADVISORY COMMISSION REPORT February 12, 2024

ITEM FOR LIBRARY BOARD OF TRUSTEES CONSIDERATION

February 2024 Library Advisory Commission (LAC) Report

STAFF RECOMMENDATION

Recommendation: (1) Receive update on new day/time of regular LAC meetings (2) Review options on youth involvement with LAC and request for direction; and (3) Adopt Carpinteria Community Library Materials Selection and Maintenance Policy.

Sample Motion: I move to approve and adopt the Materials Selection and Maintenance Policy and direct staff as appropriate regarding options on youth involvement with LAC.

BACKGROUND

The Library Advisory Commission, established by Ordinance 756 on June 13, 2022, is intended to be a conduit between the community, Board of Trustees, and the City Librarian, to provide advice and feedback. The Commission will review programs and services and make necessary recommendations as they pertain to the provision of these programs and services with the goals of increasing citizen participation and helping to develop consensus for recommendations to the Board.

DISCUSSION

At its February 8th meeting, the Library Advisory Commission (LAC) will consider changing its meeting day and time. In addition, as requested at the January 2024 Library Board of Trustees meeting, the LAC will discuss options regarding a youth position on the Commission. A representative from the LAC will be in attendance to provide a verbal update on these matters.

At the January 2024 Board of Trustees meeting, the LAC was requested to make a recommendation about a youth position on the Commission. The recommendation from the LAC will be made at its meeting on February 8.

Included in the packet is a revised Collection Development Policy. Renamed Materials Selection and Maintenance Policy, the Policy presented is positive and succinct. The LAC and the City Librarian have reviewed Materials Selection Policies from many different libraries around the country and have developed this policy after much discussion. The Policy has been reviewed by the City Attorney's Office.

- A. LAC recommends approval and adoption of the new Materials Selection and Maintenance Policy, to go into effect February 15, 2024, after being translated into Spanish and uploaded to the Library website.

POLICY CONSISTENCY

The Library programs and resources are consistent with the actions of the City Council concerning the establishment of a municipal library.

FINANCIAL CONSIDERATIONS

There are no budget impacts as a result of this action.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

As determined necessary and appropriate, staff consults with the City Attorney's Office and risk managers of its insurance entity, the California Joint Powers Insurance Authority, in order to ensure compliance with legal requirements and best practices.

OPTIONS

1. Receive update on new day/time of regular LAC meetings and review options on youth involvement with LAC and request for direction; and adopt Carpinteria Community Library Materials Selection and Maintenance Policy. (staff recommendation)
2. Do not adopt Carpinteria Community Library Materials Selections and Maintenance Policy and provide direction to staff as appropriate.

PRINCIPAL PARTIES EXPECTED AT MEETING

Library Advisory Commission representative.

ATTACHMENTS

Attachment A – Revised Materials Selection and Maintenance Policy

Staff contact: Jody Thomas, City Librarian
(805) 684-4314, jodyt@carpinteriaca.gov


Signature

Staff contact: Michael Ramirez, City Manager
(805) 755-4450, michaelr@carpinteriaca.gov


Signature



Carpinteria Community Library

Subject: Materials Selection and Maintenance Policy

Date Adopted: February 12, 2024

The Carpinteria Community Library Materials Selection and Maintenance Policy supports the library's mission to cultivate community and advance equity and social justice by welcoming all people to experience the shared joys of literacy and learning.

The library celebrates the diversity of our community by providing materials and services that reflect and strengthen that diversity. Exposure to the diversity of human experience can expand a person's capacity for understanding and acceptance. To this end, the library commits to continually building a collection that reflects and amplifies the mosaic of human identity and experience.

Our library strives to provide inclusive experiences for all individuals, regardless of race, religion, creed, color, ancestry, national origin, sex, sexual orientation, gender identity or expression, age, physical or mental disability, military or veteran status, citizenship, or housing status. Any behavior that reduces or interferes with others' equitable access to library materials, services, and spaces, including acts of racism or hate speech, will not be permitted.

Our library actively addresses changing community needs by providing equitable access to topical and relevant materials and information services for children and adults in a professional, helpful manner. In support of this mission, the library selects and organizes materials to provide maximum accessibility, to anticipate and meet the diverse and complex needs of community members, and to encourage new users to partake of Library services.

Our library has a positive approach to selection and affirms the public's right to have access to all library materials, even though the content may be controversial, unorthodox, or unacceptable to others. The library adheres to and supports the principles of intellectual freedom as stated in the American Library Association's **Library Bill of Rights**.

Guidelines

- The library considers all acquisitions in terms of community demand and interest, depth and breadth of the collection, ability to meet the needs of the community, timeliness, importance to the collection, enduring value, cost, format, availability of identical or similar material elsewhere in the geographical area and/or Black Gold Cooperative Library System, and published or staff reviews.
- Selection of library materials responds to changing social values, inequitable access to technology within the community, and cultural differences and values, as well as the reading and language abilities of the community.
- The library purchases materials in a variety of physical and digital formats, including those that make the collection more accessible to people with disabilities.
- The library acknowledges the experience of historically marginalized people and groups in response to discrimination in its many forms over time, and the library supports the goals of uplifting community voices. An inclusive and representative library collection is one means of advancing those ideals. The library seeks to provide materials that represent the diversity of perspectives within and across these populations.
- The library purchases materials in languages spoken by a significant portion of community residents, with an emphasis on English and Spanish, with other languages purchased as needs are identified and resources are available.
- The library welcomes purchase suggestions from community members, and purchases suggested items whenever possible, depending on budget limitations, availability, and competing community demands.
- The library does not approve or disapprove of views expressed in materials in the collection, or endorse items included in the collection. The library makes selections based on their merits in relation to building the collection and serving the needs and interests of community members, and in accordance with this policy.
- The library affirms both the right and the responsibility of parents and legal guardians to guide their children's reading / viewing access in accordance with individual family beliefs. The library does not act in the place or role of a parent or guardian in the supervision or restriction of children's use of Library materials.

- The library appreciates gifts of materials and of money to purchase materials. Gifts of books and other items are accepted with the understanding that they may be used or disposed of as the library determines is appropriate. Before adding gifts to the collection, they will be evaluated according to the same criteria as purchased materials.
- The library regularly removes materials that are outdated, worn, no longer used, or updated by newer editions. Any materials that are in unusable condition will be recycled. Selected materials are donated to The Friends of the Carpinteria Library, to raise funds through book sales to support the library's collection and programs.
- The City Librarian is responsible for the selection and maintenance of library materials and may, at their sole discretion, delegate specific selection and maintenance functions to other library staff.

Collection Review

As part of Carpinteria Community Library's commitment to reflect the information needs of the community in its collection development process, the library recognizes the right of individuals to question the inclusion of materials in the library collection. The library will give serious consideration to each local resident's opinion.

- Individuals with concerns about material in the library collection may ask Library staff about such material. Library staff will give the patron a copy of this policy and provide them the opportunity to express their concerns to the staff person in charge or the City Librarian.
- Individuals who wish to formally express concern about library materials may state their opinion in writing on a form provided by the library. In order to maintain focus on local community needs and perspectives, forms will only be accepted from residents in the Carpinteria Community Library service area.
- The form must be sent to the City Librarian.
- The City Librarian will review the concern, determine whether the material was appropriately selected and made accessible under this policy, and communicate the final determination to the concerned individual in writing within a reasonable time. Once a decision is made to retain or remove a particular title, the library will not review that title again for a period of five years.
- Materials removed from the Carpinteria Community Library collection may remain available through the shared catalog and shared lending procedures in place through the Black Gold Library consortium. Decisions made regarding Carpinteria Community Library holdings

only pertain to materials purchased by the Carpinteria Community Library.

Revised February 2024

Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

VII. All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use. Libraries should advocate for, educate about, and protect people's privacy, safeguarding all library use data, including personally identifiable information.

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; January 29, 2019.

Inclusion of "age" reaffirmed January 23, 1996.

Although the Articles of the *Library Bill of Rights* are unambiguous statements of basic principles that should govern the service of all libraries, questions do arise concerning application of these principles to specific library practices. See the documents designated by the Intellectual Freedom Committee as [Interpretations of the Library Bill of Rights](#).

MEMORANDUM



Council Meeting Date: February 12, 2024

To: Honorable Mayor and City Council

From: Michael Ramirez, City Manager

Subject: **City Manager's Report**

SENIOR SERVICES PROGRAMMING

Senior Barn Dance

AgeWell's Senior Barn Dance took place last Saturday, Feb. 10 from 6 to 8:30 p.m. at Carpinteria Veterans Memorial Building, 941 Walnut Ave. This event had Music Monday performers, dancing, and was a good time for everyone! This was a free event for folks 55 and over, and snacks were provided by GranVida and decorations by the Carpinteria High School FFA.

CITY EMPLOYEE UPDATES

Recruitments

Below is a list of current recruitments for full-time positions. Additional information, including part-time positions, are available at <https://carpinteriaca.gov/city-hall/human-resources/>

- Assistant City Manager
 - Closed: February 2, 2024
 - Total applications received: 53
 - Recruiter began preliminary interviews last week, and will continue through this week, for all applicants that met minimum qualifications.
- Parks, Recreation, and Community Services Director (Conducted by Bob Murray & Associates)
 - Open Now
 - Filing deadline: March 1, 2024
 - Current number of applications received: 39
- Recreation and Community Services Coordinator
 - Total applications received: 16
 - First interviews begin tomorrow, 2/13/24.
- Aquatics Superintendent
 - Total applications received: 8
 - Human Resources (HR) currently screening applications.
 - Interviews to be conducted no later than the week of 2/26/24.

UPDATES ON CAPITAL IMPROVEMENT PROJECTS

No updates

UPDATES ON DEVELOPMENT APPLICATIONS

No updates

OTHER CITY/COMMUNITY UPDATES

Junior Lifeguards Program

Junior Lifeguards program will hold tryouts for new JGs (or former mini-JGs interested in participating in the JGs) from 10 a.m. to noon every Saturday between February 3 and March 2. Tryouts will be held at the Carpinteria Community Pool, 5305 Carpinteria Ave. The Carpinteria Junior Lifeguards program will run from June 17 to Aug. 2 on weekdays from 9:30 a.m. to 12:30 p.m.

Annual Work Plan Meeting # 2

The second Annual Work Plan meeting will be agendized as part of City Council's regular meeting scheduled for Monday, February 26, 2024. At its Special Meeting on Monday, January 29, 2024, City Council voted to approve five primary goals for fiscal year 2024-2025 (FY24/25.) At the second meeting, City Council will review and consider priorities and objectives for each of the five primary goals. Metrics and measures for reporting on objectives will also be discussed.

Tree Removal on the 5700 block of Via Real

Canary Island Pine trees on the 5700 block of Via Real were removed by the City after a thorough assessment by Carpinteria-Summerland Fire District. It was determined that the Canary Island Pine trees posed a significant fire hazard to the neighboring mobile home parks. The hazardous trees were identified based on their current condition, proximity to structures, and the threat they pose to public safety.

PLANNING COMMISSION ACTIONS

On Monday, February 5th, the Planning Commission considered the following hearing request with all Commissioners in attendance:

1. 4745 Carpinteria Avenue Mixed-Use Project

Project: 23-2221-DP/CDP

Address: 4745 Carpinteria Ave

Applicant: Edward DeVicente, DMHA Architecture

Planner: Brian Banks

Hearing on the request of Edward DeVicente, DMHA Architecture, to consider Project 23-2221-DP/CDP (application filed April 14, 2023) for a Development Plan and Coastal

Development Permit to allow redevelopment of the property at 4745 Carpinteria Avenue (currently occupied by Sun Coast Rentals) into a new three-story mixed-use (commercial / residential) development comprised of a 24-unit, 31,026 square foot apartment complex built around and atop a ground-level 22,198 square foot concrete parking podium, and a 4,044 square foot two-story commercial building; and to accept a categorical exemption pursuant to §15332 of the California Environmental Quality Act (CEQA) Guidelines. The application involves APN 003-251-021, addressed as 4745 Carpinteria Avenue.

The Planning Commission voted 4-0-1 (Salant abstain) to approve the project with the following amended conditions of approval:

Condition no. 2 was amended to read: *The design, scale and character of the project architecture and landscape shall be compatible and blend harmoniously with vicinity development and consistent with the City's "small beach town" character. As agreed to by the applicant at the Planning Commission meeting on February 5, 2024, the applicant shall set back the western edge of the western third floor units (Units 21-24) toward the center of the project by Three (3) feet while maintaining the interior courtyard dimensions. The applicant further shall study revisions to the plans to reduce the overall height of the project, and privacy considerations for the portions of the units facing the interior courtyards.* **Plan Requirement and Timing:** The applicant shall submit plans for the project for final review by the Architectural Review Board prior to approval of any Building Permit for physical development. **Monitoring:** Community Development Department staff (CDD) shall review submitted plans, provide direction to the ARB regarding this condition, and site inspect during the construction phase.

Condition no. 36 was amended to read: *The applicant shall provide Three (3) low income dwelling units (16.67% of project units) available for rent at prices affordable to households earning up to 80% of Area Median Income (AMI) consistent with the provisions of Government Code §§ 65915-65918 (Density Bonus Law).* **Requirements and Timing:** Prior to issuance of the building permit, the applicant shall execute and record an Affordable Housing Regulatory Agreement (Agreement), which shall include a Restrictive Covenant (Covenant). The Agreement and Covenant shall be based on the City's model documents and subject to the review and approval of CDD and the City Attorney. As agreed to by the applicant at the Planning Commission meeting on February 5, 2024, the units shall remain affordable for a period of 99 55 years, beginning upon date of issuance of the occupancy clearance for said units. The running of the covenant shall toll during any period of violation.

The Agreement shall include, but not be limited to, the following information about the project:

- a. *The total number of units approved for the housing development, including the number of affordable dwelling units and manager's unit;*
- b. *A description of the household income group to be accommodated by the housing development and the standards and methodology for determining the*

- corresponding affordable rent or affordable sales price and housing cost consistent with California Department of Housing and Community Development and Housing and Urban Development guidelines;
- c. The marketing plan for the affordable units;
- d. The location, unit sizes (square feet) and number of bedrooms of the affordable dwelling units;
- e. Tenure of the use restrictions for affordable dwelling units for a period of ~~55~~ 99 years;
- f. A schedule for completion and occupancy of the affordable dwelling units;
- g. A description of the additional incentives and concessions being provided by the City;
- h. A description of the remedies for breach of the agreement by the owners, developers and/or successors in interest of the project;
- i. Other provisions to ensure successful implementation and compliance with the City's ~~Density Bonus regulations~~ ordinance, ~~and~~ Government Code §§ 65915-65918 (Density Bonus Law), and California Department of Housing and Community Development and Housing and Urban Development guidelines; and
- j. Other provisions to ensure compliance with applicable local, state, and federal tenant protection regulations.

In addition, the Agreement shall provide for the following conditions governing the use of affordable dwelling units during the applicable restriction period:

- a. *The rules and procedures for qualifying tenants, establishing affordable rent, filling vacancies and maintaining the affordable dwelling units for qualified tenants;*
- b. *Provisions requiring owners to annually verify tenant incomes and maintain books and records to demonstrate compliance.*
- c. *Provisions requiring owners to submit an annual report to the City, which includes the name, address and income of each person occupying the affordable dwelling unit and which identifies the bedroom size and monthly rent or cost of each unit; and*
- d. *The applicable use restriction period shall comply with the time limits for continued availability as specified above.*

Condition no. 41 was amended to read: No permits for development shall be issued except in conformance with the approved Development Plan and Coastal Development Permit. The size, shape, arrangement, use and location of buildings, walkways, parking areas and landscaped areas shall be developed in conformity with the approved Development Plan marked Attachment A, Exhibit 2, dated February 5, 2024, and with the agreed upon modification to increase the setback from the western edge of the western third floor units (Units 21-24) toward the center of the project by Three (3) feet while maintaining the interior courtyard dimensions during the February 5, 2024 Planning Commission meeting. Substantial conformity shall be determined by the Community Development Department Director.

Condition no. 8 was added to read: Owner shall not install any over-the-air reception devices (OTARD), such as satellite dishes, television or radio antenna or other communication or transmission devices, on the building, in common areas or on roofs located more than thirty (30) feet above finished grade. All other OTARD devices located on the building, in common areas, on roofs or on the property shall include reasonable screening to prevent impacts to surrounding properties consistent with applicable Federal Communications Commission regulations.

Condition no. 38 was added to read: Owner shall provide direct connections to high-speed internet service, including wireless access (e.g., Wi-Fi), to each residential unit and all residential tenants at no charge. The City acknowledges that Owner does not operate a high-speed internet service and thus is not responsible to configure a tenant's personal computer or other similar devices and temporary internet services outages may occur outside the control of the Owner. Owner may require residential tenants to comply with reasonable restrictions on the use of the internet service consistent with applicable federal, state and local laws and regulations. Tenants shall have the right to alternative internet service at the tenant's own expense.

Condition no. 39 was added to read: Owner shall designate at least One (1) on-site manager that resides in the project consistent with applicable California Department of Housing and Community Development and Housing and Urban Development guidelines.





**City of Carpinteria
City Council Minutes
Regular Meeting
Monday, January 22, 2024**

In-Person and Virtual

CALL TO ORDER

Mayor Clark called the meeting to order at 5:30 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: Michael Ramirez, City Manager
Jena Shoaf Acos, on behalf of Brownstein Hyatt Farber
Schreck, LLP acting as City Attorney of the City
of Carpinteria
Mack Carlson, on behalf of Brownstein Hyatt Farber
Schreck, LLP acting as City Attorney of the City
of Carpinteria
Brian C. Barrett, City Clerk
David Hernandez, Code Compliance Supervisor
Mindy Fogg, Principal Planner
Megan Musolf, Assistant Planner
Erin Maker, Environmental Program Manager
Olivia Uribe Mutal, Program Manager
John L. Ilasin, Public Works Director
Tiffany Smith, Parks & Facilities Maintenance
Supervisor

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 recommended moving Item No. 9 from the Administrative Matters Section to the “Consideration of Any Items Removed from Consent Calendar and/or Other Agenda Items Requested To Be Advanced” Section. The Council was in agreement with the Mayor’s request.

INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS:

1. Proclamation Designating February 2024 as Black History Month.
(Requires approval prior to presentation of proclamation.)

There was no public comment.

Motion by Councilmember Nomura, seconded by Councilmember Lee, to approve the Proclamation Designating February 2024 as Black History Month. Upon voice vote, the motion carried unanimously.

Since the proclamation recipient was not present, City Clerk Barrett acknowledged that the Council could present it later in the meeting if the recipient showed up or present it to them at the next regular Council meeting.

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

City Manager Ramirez spoke on the following topics:

- City expanded nutritional support services for seniors and partnered with Foodbank of Santa Barbara County
- Update to Story Poles Procedures Manual (Community Development Director Bobroff provided additional background)
- January 25th Architectural Review Board meeting on the Carpinteria Farm Preserve & Bungalows Project
- Chevron Carpinteria Oil Processing Facility Decommissioning & Remediation Project
- Winter El Niño Update
- City Recruitments
- Annual Work Plan Meeting on January 29th

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Speakers in-person: Paul Wright representing Island Brewing Company, Eileen Marcussen, Stephen Marcussen, Scott Van Der Kar, Sandy Evans, Catherine Overman, and Susan Allen

Speakers via Zoom: Davis Mersereau

Emails distributed: Farah Stack, Chad Moore, and Davis Mersereau

CONSENT CALENDAR:

Councilmember Lee recused himself from the Consent Calendar due to his family owning and operating a restaurant in the City and left the Council Chambers at 6:14 pm.

There was no public comment.

Motion by Councilmember Solórzano, seconded by Councilmember Nomura, to approve the Consent Calendar Item Nos. 2 through 7. The roll call vote on the motion was as follows:

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

The motion carried.

2. Approve the minutes of the regular meeting held January 8, 2024 and the special joint meeting held January 17, 2024.
3. Receive and file the Expenditures for the period beginning December 25, 2023 and ending January 12, 2024.
4. Receive and file the Report of Contracts Executed by the City Manager for the Period of November 21, 2023 through January 15, 2024.
5. Receive and file the Monthly City Treasurer's Report on Compliance with Statement of Safekeeping and Investment of Public Funds for December 2023.
6. Receive and file the Quarterly Review of the Pension Stabilization Trust.
7. Adopt Ordinance No. 776 (second reading), repealing and replacing in its entirety Carpinteria Municipal Code (CMC) Chapter 8.50, concerning the regulation of

certain polystyrene and single-use plastic items, as well as foil and latex balloons. *(This item requires a roll call vote.)*

Councilmember Lee returned to the dais at 6:16 pm.

ADMINISTRATIVE MATTERS:

8. Code Compliance Quarterly Report Q4, 2023.

Recommendation: Receive and file quarterly report.

Code Compliance Supervisor Hernandez presented the staff report and PowerPoint presentation.

Speakers in-person: Susan Allen and Mike Wondolowski

Motion by Councilmember Solórzano, seconded by Councilmember Nomura, to receive and file the Q4 Code Compliance Quarterly Report. Upon voice vote, the motion carried unanimously.

Item No. 9 was moved to the "Consideration of Any Items Removed from Consent Calendar and/or Other Agenda Items Requested To Be Advanced" Section after Item No. 10.

PUBLIC HEARING:

10. Re-adoption of the 6th Cycle 2023-2031 Housing Element via Resolution No. 6288 (Attachment A) as revised to address comments from the California Department of Housing and Community Development (HCD) (General Plan Amendment No. 22-2157-GPA).

Recommendation: Receive staff presentation and public testimony; adopt Resolution No. 6288 to re-adopt the 2023-2031 Housing Element as revised to address HCD comments; find the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3); and direct the City Manager to submit the 2023-2031 Housing Element to HCD for final certification.

Community Development Director Bobroff introduced Principal Planner Fogg who presented the staff report and PowerPoint presentation along with Legal Counsel Acos and Consultant Patsy Price with Confluence Land Use.

Mayor Clark opened the public hearing at 6:49 pm.

Speakers in-person: Marci Richardson

Mayor Clark closed the public hearing at 6:51 pm.

Motion by Councilmember Lee, seconded by Councilmember Nomura, to adopt Resolution No. 6288 that re-adopts General Plan Amendment No. 22-2157-GPA, an update to the 2023-2031 Housing Element as revised to address California Department of Housing and Community Development (HCD) comments and finds the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), and to direct the City Manager to submit the 2023-2031 Housing Element to HCD for final certification. Upon voice vote, the motion carried unanimously.

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

9. Approve and authorize the City Council to sign a letter to the County of Santa Barbara Board of Supervisors regarding the County's Housing Element Update Draft Program Environmental Impact Report.

Recommendation: Approve and authorize the Council's signature on a letter to the County of Santa Barbara regarding the County's Housing Element Update Draft Program Environmental Impact Report (Attachment A).

Community Development Director Bobroff introduced Assistant Planner Musolf who presented the staff report.

Speakers in-person: Mike Wondolowski

Motion by Councilmember Solórzano, seconded by Councilmember Nomura, to approve and authorize the Council to sign and transmit a letter to the County of Santa Barbara regarding the County's Housing Element Update Draft Program Environmental Impact Report.

Councilmember Nomura suggested the letter include a map of the three potential rezoning sites in the unincorporated County which are adjacent to the City. The Council was in agreement with Councilmember Nomura's request.

Upon voice vote, the motion carried unanimously.

MATTERS CONTINUED FROM PREVIOUS MEETINGS: NONE

OTHER BUSINESS:

11. Presentation on the Carpinteria Shoreline Continuing Authorities Program by U.S. Army Corps of Engineers.

Recommendation: Receive and file presentation.

Environmental Program Manager Maker introduced the following U.S. Army Corps of Engineers staff who presented the PowerPoint presentation: Susan Ming, Garrett Kaspala, Daria Mazey, Megan Whalen, and Brian Kim.

There was no public comment.

Motion by Councilmember Nomura, seconded by Vice Mayor Alarcon, to receive and file the presentation. Upon voice vote, the motion carried unanimously.

Mayor Clark recessed to a break at 7:27 pm and reconvened the meeting at 7:32 pm.

12. Informational Report on the City's Emergency Services Management Program for 2023.

Recommendation: Receive and file the report.

Program Manager Uribe Mutal presented the staff report and PowerPoint presentation.

There was no public comment.

Motion by Councilmember Solórzano, seconded by Councilmember Nomura, to receive and file the report. Upon voice vote, the motion carried unanimously.

13. 2023 Annual Integrated Pest Management Report.

Recommendation: Receive and file the 2023 Annual Integrated Pest Management Report.

Public Works Director Ilasin and Parks and Facilities Maintenance Supervisor Smith presented the staff report.

There was no public comment.

The Council directed staff to pursue public education and outreach on the Integrated Pest Management Policy.

Motion by Councilmember Nomura, seconded by Councilmember Solórzano, to receive and file the 2023 Annual Integrated Pest Management Report and reactivate the Integrated Pest Management Committee. Upon voice vote, the motion carried unanimously.

LEGISLATIVE UPDATE: NONE

Vice Mayor Alarcon requested that the Legislative Update section also include updates at the County level that are affecting Carpinteria. The Council was in agreement.

COMMITTEE REPORTS, INQUIRIES AND OTHER MATTERS PRESENTED BY COUNCILMEMBERS

Councilmember Solórzano reported on:

- Santa Barbara Metropolitan Transit District Board met on January 16th and approved contracts relating to the recommissioning of Terminal 2 in Goleta for use of the Clean Energy buses.
- South Coast Youth Safety Partnership Policy Team met on January 11th and received updates from partner agencies, reviewed recent community engagement team surveys, and described CommUnify's new structure for outreach.
- BEACON meeting this Friday, Councilmember Solórzano announced she was unable to attend, but Mayor Clark as alternate would attend.

ATTENDANCE OF COUNCILMEMBERS FOR FUTURE MEETINGS

All Councilmembers are expected to be in attendance at the February 12th regular City Council meeting.

ADJOURNMENT

Mayor Clark adjourned the meeting at 8:17 pm.

Al Clark, Mayor

ATTEST:

Brian C. Barrett, CMC, CPMC
City Clerk

**City of Carpinteria
City Council Minutes
Special Meeting (Annual Work Plan)
Monday, January 29, 2024 at 5:30 pm**

In-Person Meeting

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: Michael Ramirez, City Manager
 Nick Bobroff, Community Development Director
 Licette Maldonado, Administrative Services Director
 John L. Ilasin, Public Works Director
 Aida Thau, Management Analyst II
 Olivia Uribe Mutal, Program Manager
 Erin Maker, Environmental Program Manager
 Robert Howard, Public Works Supervisor
 Brian C. Barrett, City Clerk

PUBLIC COMMENT WILL ONLY BE HEARD CONCERNING THE AGENDIZED ITEM BELOW

CITY COUNCIL WORKSHOP

The City Council met for the following purpose:

Presentation of the revised Annual Work Plan process and status report for the 2023 Annual Work Plan, and to develop and review for approval City Council goals and priorities for the Fiscal Year 2024-25 Annual Work Plan.

Recommendation: Receive presentation and approve goals and priorities for the Fiscal Year 2024-25 Annual Work Plan.

- a. City Manager will provide a summary of the revised and future Annual Work Plan process, including an organization and budget overview.

City Manager Ramirez provided a summary of the revised and future Annual Work Plan process, including an organization and budget overview.

- b. Staff will provide a status report on the 2023 Annual Work Plan.

The following staff provided a status report on the 2023 Annual Work Plan for their respective departments and listed their respective Fiscal Year 2024-25 priorities:

Staff	Department	FY 2024-25 Priorities
City Manager Ramirez	General Government	Update Internal Processes
		Policy Development Implementation
		Training on Emergency Preparedness
		Recruitment, Retention, and Development
		Regional Collaboration
		Community Engagement
		Reporting Performance Measures
Community Development Director Bobroff	Community Development	Continue progress on Advanced Planning Work Items, particularly the Housing Element Implementation and the General Plan Update
		Pursue ways to increase capacity and improve Department efficiency and processes
Administrative Services Director Maldonado	Administrative Services	Create better processes within department
		Work with other departments to invoice and collect money due to the City
		Re-organization of Department to be more efficient
		Policy Updates
Public Works Director Iasin	Public Works	Upcoming Capital Improvement Plan Study Session
		Improve capability of obtaining grants
Management Analyst II Thau	Parks, Recreation & Community Services	Continuation of Committed Projects
		Development of Senior Programming
		Establish a Solid Parks, Recreation & Community Services Team
		Continue Supporting Carpinteria Open Space Management Advisory Board and the Harbor Seal Advisory Committee

Mayor Clark recessed the meeting to a break at 7:20 pm and reconvened the meeting at 7:31 pm.

- c. City Council will receive public comment concerning the matters that are the subject of the special meeting.

Speakers in-person: Susan Mailheau, Mike Wondolowski with Carpinteria Valley Association, Ann Matson, Fred Shaw, Danielle Manriquez-Osborn, Aja Forner, Gaby Edwards, Gail Marshall, Rosalyn Kohute, Amrita Salm, and Lea Boyd

Emails distributed: Luci Rogers, Stephen Gerteis, David Allen, Rosalyn Kohute, and Susan Mailheau

- d. City Council will participate in a facilitated exercise, led by City Consultant Tripepi Smith, to develop goals and priorities for the Fiscal Year 2024-25 Annual Work Plan.

Consultant Ryder Smith with Tripepi Smith led the City Council in participating in a facilitated exercise and briefly covered the City's current vision and mission. The consultant presented the following consolidated concerns, secondary concerns, and primary goals and other goals from the City Council.

Consolidated Concerns:

- A segment of Carpinteria population is hard to reach or disconnected
- There is a thin strata of people who are engaged with the City's activities and then a large portion who are unaware, indifferent or simply don't have time. City Council wants to hear from more voices or ensure policies are benefitting from the voices of a broader swath of residents.
- City is struggling to accommodate growth while maintaining a quieter beachside town personality
- There are hotel projects on the horizon that will affect open space and a downtown area
- Short term rentals are absorbing the housing stock, driving up pricing and disrupting quality of life in some neighborhoods, even with restrictions in place
- The Joint Use Agreement with the School District has not been touched in a while and there are opportunities for better collaboration.
- The City's fiscal position is weakening with increasing costs and flattening revenues
- City staff turnover and competitive pressures are making fielding a team harder to manage and support

Secondary Concerns:

- Regional sediment management during extreme weather events
- Pedestrian safety on Carpinteria Avenue
- Code enforcement – dogs off leash, parking, e-bikes tearing up trails, e-bike speeds
- Ease of obtaining business permits
- Concerns with financial sustainability given the rising costs of public safety
- Demand for dog parks, but not near neighborhoods
- Demand for pickleball courts
- Road and sidewalk maintenance
- Water supply issues
- Culture of customer service in the Development department
- Grant writing capabilities and pursuits
- Senior citizen facility

Primary Goal #1: Enhance public outreach, education and transparency

- Objective to hear from more voices and ensure policies are benefitting from the voices of a broader swath of residents
- Improve relations with non-profits that are strongly connected to the Latino community
- Speak to community on budget, economics and tradeoffs
- Continue investments in Spanish language resources
- Formalize appointment process to commissions and committees; Assess current communication tools and methodologies; Track and report on engagement efforts; Evaluate investing in an ongoing polling tool

Primary Goal #2: Accommodate City growth while maintaining a quieter beachside town personality

- Complete the implementation of zoning to implement adopted Housing Element
- Define what smart implementation is and how to balance competing objectives
- Navigate through the two major hotel development projects
- Address County development visions impacting City's sphere of influence
- Prioritize environmental sustainability and preservation in the context of the small town and the City's niche tourism activity
- Address STR enforcement issues to improve housing inventory and neighborhood quality of life

Primary Goal #3: Take steps to address the fiscal sustainability of the City

- Pursue steps to address subsidies of special districts like lighting and landscape districts
- Address the City's fee schedule to modernize the structure fees
- Revisit the structure of the business license fees
- Evaluate new revenue sources to assist with funding local initiatives
- Review development impact fees

Primary Goal #4: Strengthen community institution collaboration

- Revisit Joint Use Agreement with the School District
 - Meet regularly with School District Board
 - Implement Youth Civic Leadership Program or Youth Council
 - Identify changes in the community's needs or priorities since the agreement was last updated
 - Develop a long-term vision for the Joint Use Agreement that aligns with the goals of both the city and the school district
- Revisit relationship with non-profit organizations
- Prioritize collaboration with other agencies

Primary Goal #5: Invest in a high-performance team at City Hall

- Successfully transition in a new executive leader
- Invest in staff learning through conferences and other learning tools
- Build a high-performance culture that both yields efficient results and increases staff retention
- Inject a customer services element into City staff collaboration with stakeholders
- Sustain City Council's strong reputation for making Carpinteria a stable place to work and build community

Other Goals:

- Develop regional sediment management plan and messaging
- Prioritize code enforcement along beaches, bluffs
- Address crosswalks on Carpinteria Avenue and additional investments
- Improve process for obtaining business permits
- Review public safety costs and strategies for addressing public safety in a cost-effective manner such as identifying alternative or supplemental service solutions
- Increased economic vitality of overall community

e. City Council will take action to approve, or extend to a second meeting, goals and priorities for Fiscal Year 2024-25 Annual Work Plan.

Motion by Councilmember Lee, seconded by Councilmember Nomura, to receive the presentation and approve the goals and priorities for Fiscal Year 2024-25 Annual Work Plan. Upon voice vote the motion carried unanimously.

ADJOURNMENT

Mayor Clark adjourned the meeting at 10:07 pm.

Al Clark, Mayor

ATTEST:

Brian C. Barrett, CMC, CPMC
City Clerk



City of Carpinteria

COUNCIL AGENDA STAFF REPORT February 12, 2024

ITEM FOR COUNCIL CONSIDERATION

Expenditures for the period beginning January 15, 2024 and ending February 02, 2024.

STAFF RECOMMENDATION

Receive and file Warrant Register for the period of January 15, 2024, through February 02, 2024, 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 January 15, 2024 and ending February 02, 2024.

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: Michael Ramirez, City Manager
(805) 755-4450, MichaelR@carpinteriaca.gov


Signature



Warrant Register

Carpinteria, CA

Date Range: 01/15/2024 - 02/02/2024

Vendor Number Payable #	Vendor Name Payable Type	Payable Description	Payment Date	Payment Amount	Number
Bank Code: AP Bank-AP Bank Payment Type: Regular					
0056128	ACCESS CONTROL SECURITY INC. Invoice	SECURITY: B. AGUILAR 11/25/23	01/18/2024	276.38	102846
156356	ADVANTAGE TELECOM Invoice	JAN24 EMERGENCY PHONE LINE SERVICES	01/18/2024	69.99	102847
117X-DVRD-J3VV 13FX-DLTG-KV73 13PG-MFWY-VGKT 141R-F3R3-YXW9 14HC-GKVC-9PDY 14YD-XVYY-6VNP 17D6-D3T3-7LH6 17MY-77RR-Y9QC 17PJ-43YT-MLWK 197X-NGVC-6VXY 1C1X-VK1C-CTWD 1C9C-64QK-6G7V 1D1M-H9C3-MRIJ 1DTV-M41L-T1QF 1FKV-J39R-Y3XT 1G1L-HTV3-HKFO 1GLJ-6WWH-1GVN 1JDJ-MW3P-49QV 1JFM-QKJX-66GG 1JFM-QKJX-9N3G 1JYH-JWYG-3YRJ 1KK3-4X4W-M7X3 1LHW-9JHK-JTMN 1MGQ-RNYC-6XDV 1ML4-C17D-MCLK 1MRJ-69CRC-XPYN 1MVR-QYFF-CGLL 1NX6-CHLM-3MQN 1PH4-96LT-GP79 1PWX-P74P-3QMC 1QJT-N6YP-KX4H 1RLH-7N4Q-MJK7 1WXN-4J3M-Y1QX 1YF4-9XTD-4Y4R 1YLP-MJPV-MGT7 1YVL-L9PJ-7H3T 1YW7-M3MC-VCLD	AMAZON CAPITAL SERVICES INC Invoice	BOOKS FOR LIBRARY	01/18/2024	2,854.61	102848
	Invoice	ZIP BOOKS-D. MCGUIRE			
	Invoice	ZIP BOOKS-S. WEST			
	Invoice	BOOKS FOR LIBRARY			
	Invoice	TV REMOTE, THERMAL POUCHES-LIBRARY			
	Invoice	BOOKS FOR LIBRARY			
	Invoice	BOOKS FOR LIBRARY			
	Credit Memo	BOOKS FOR LIBRARY RETURNED			
	Invoice	BOOKS FOR LIBRARY			
	Invoice	ZIP BOOKS-L. ROGERS			
	Invoice	ZIP BOOKS-D. MAUHARDT			
	Invoice	BOOKS FOR LIBRARY			
	Invoice	BOOKS FOR LIBRARY			
	Invoice	ZIP BOOKS-L. FRIEDMAN			
	Invoice	BOOKS FOR LIBRARY			
	Invoice	ZIP BOOKS-W. MACMURRAY			
	Invoice	PARKA JACKETS FOR POOL LIFEGUARDS			
	Invoice	BOOKS FOR LIBRARY			
	Invoice	BOOKS FOR LIBRARY			
	Invoice	ZIP BOOKS-M. EDWARDS			
	Invoice	BOOKS FOR LIBRARY			
	Invoice	BOOKS FOR LIBRARY			
	Invoice	BOOKS FOR LIBRARY			
	Invoice	ZIP BOOKS-D. THOMAS			
	Invoice	ZIP BOOKS-E. BATTANY			
	Invoice	BOOKS FOR LIBRARY			
	Invoice	ZIP BOOKS-S. WEST			
	Invoice	BOOKS FOR LIBRARY			
	Invoice	BOOKS FOR LIBRARY			
	Invoice	BOOKS FOR LIBRARY			
	Invoice	BOOKS FOR LIBRARY			
	Invoice	ZIP BOOKS-R. RODD			
	Invoice	BOOKS FOR LIBRARY			
	Invoice	BOOKS FOR LIBRARY			
	Invoice	ZIP BOOKS-M. OLVERD			
	Void		01/18/2024	-	102849
	Void		01/18/2024	-	102850
287303896883X01102024	AT&T MOBILITY Invoice	DEC23 CITY HALL CELL PHONES	01/18/2024	597.01	102851
21096316 21096333	BAY ALARM Invoice	INSTALLATION FEE FOR LIBRARY SECURITY	01/18/2024	759.29	102852
	Invoice	SECURITY MONITORING 2/13/23-1/31/24 LIBRARY			
18783	BOBS BACKHOE & TRUCKING Invoice	NOV-DEC23 BEACH BERM WORK	01/18/2024	16,008.00	102853

966621	BROWNSTEIN HYATT FARBER SCHRECK	01/18/2024	76,370.00	102854
966627	Invoice PROFESSIONAL LEGAL SERVICES THROUGH 11/30/23			
966628	Invoice PROFESSIONAL LEGAL SERVICES THROUGH 11/30/23			
966629	Invoice PROFESSIONAL LEGAL SERVICES THROUGH 11/30/23			
966630	Invoice PROFESSIONAL LEGAL SERVICES THROUGH 11/30/23			
JAN24 001 3011 028450702	COX BUSINESS	01/18/2024	135.99	102855
	Invoice JAN24 VETS HALL INTERNET SERVICES			
7408514	DEMCO INC	01/18/2024	1,600.58	102856
7416390	Invoice SUPPLIES FOR BOOK PROCESSING AT LIBRARY			
	Invoice SUPPLIES FOR BOOK PROCESSING AT LIBRARY			
3771	EVERYWHERE RIGHT NOW	01/18/2024	980.00	102857
	Invoice DEC23 WEBSITE PROGRAMMING CITY HALL			
DEC23 0983	FIRST NATIONAL BANK OF OMAHA	01/18/2024	4,054.97	102858
DEC23 3498	Invoice CREDIT CARD PAYMENT-OUM			
DEC23 3696	Invoice CREDIT CARD PAYMENT-JT			
DEC23 4480	Invoice CREDIT CARD PAYMENT-LM			
DEC23 6160	Invoice CREDIT CARD PAYMENT-NB			
DEC23 8528	Invoice CREDIT CARD PAYMENT-JI			
DEC23 9341	Invoice CREDIT CARD PAYMENT-AW			
	Invoice CREDIT CARD PAYMENT-MR			
JAN24 805-566-1944-032923-5	FRONTIER COMMUNICATIONS	01/18/2024	380.43	102859
JAN24 805-684-4314-063022-5	Invoice JAN24 PHONE & INTERNET-BEACH STORE			
JAN24 805-684-7613-042205-5	Invoice JAN24 PHONE & INTERNET SERVICES FOR LIBRARY			
	Invoice JAN24 PHONE & INTERNET FOR LG TOWER & BOATHOUSE			
INV0005244	HEIDI BROCK	01/18/2024	25.00	102860
	Invoice REFUND LOST BOOK-COUNT THE NIGHTS BY STARS			
381822 - PPU	KANOPY	01/18/2024	40.00	102861
	Invoice DEC23 LIBRARY VIDEOS			
520668271	MISSION UNIFORM SERVICE	01/18/2024	61.75	102862
520757840	Invoice MAT & TOWEL REPLACEMENT AT LIBRARY 12/18/23			
	Invoice MAT & TOWEL REPLACEMENT AT LIBRARY 1/01/24			
600-2023-12	MRS ENVIRONMENTAL INC	01/18/2024	21,361.47	102863
	Invoice DEC23 OIL & GAS ON CALL ENVIRONMENTAL SERVICES			
INV-40973	NEOED	01/18/2024	5,426.46	102864
	Invoice 5/25/24-5/24/25 RECRUITMENT SOFTWARE SUBSCRIPTION			
49380	NEW BEGINNINGS COUNSELING CENTER	01/18/2024	3,204.82	102865
	Invoice NOV23 SAFE PARKING PROGRAM			
01352CO23451984	OVERDRIVE INC.	01/18/2024	5,592.83	102866
01352CO23452053	Invoice DEC23 EBOOK/AUDIOBOOK FOR LIBRARY			
01352DA23456019	Invoice DEC23 EBOOK/AUDIOBOOK FOR LIBRARY			
01352DA23460237	Invoice DEC23 EBOOK/AUDIOBOOK FOR LIBRARY			
DEC23 7900 0440 81140 0954	QUADIENT FINANCE USA INC	01/18/2024	1,074.25	102867
	Invoice POSTAGE FOR CITY HALL DECEMBER 2023			
43552	ROCKWELL PRINTING	01/18/2024	170.08	102868
	Invoice BUSINESS CARDS, NAME PLATE, HOLDER-M. RAMIREZ			
INV0005245	SESAC	01/18/2024	581.00	102869
	Invoice MUSIC PERFORMANCE LICENSE THROUGH 12/31/2024			
JAN24 700405192484	SO CA EDISON	01/18/2024	9,126.37	102870
JAN24 700474689651	Invoice JAN24 ELECTRICITY-MULTIPLE LOCATIONS			
	Invoice JAN24 ELECTRICITY-4683 9TH ST			
3555069427	STAPLES ADVANTAGE	01/18/2024	536.36	102871
3555154690	Invoice CALENDAR			
	Invoice CALENDARS, TONER			

	TRI-CO REPROGRAPHICS	01/18/2024	302.16	102872
191941	Invoice	SCANNING, BIND, REBIND 12/20/23		
191942	Invoice	SCANNING, BIND, REBIND 12/20/23		
191943	Invoice	30 PAGE SCANNING, BIND, REBIND 12/20/23		
192628	Invoice	69 PAGE SCANNING, BIND, REBIND 1/9/24		
192629	Invoice	SCANNING, BIND, REBIND 1/9/24		
192630	Invoice	SCANNING, BIND, REBIND 1/9/24		
	TWO TRUMPETS COMMUNICATIONS	01/18/2024	5,550.00	102873
1352	Invoice	DEC23 COMMUNICATIONS SERVICES		
	UNIQUE MANAGEMENT SERVICES INC	01/18/2024	108.35	102874
6121202	Invoice	JAN24 LOST LIBRARY BOOKS		
	UNITED PET CARE	01/18/2024	35.00	102875
30028448	Invoice	JAN24 PET INSURANCE PREMIUMS		
	WEST COAST ARBORISTS INC	01/18/2024	6,440.00	102876
1-9629	Invoice	TREE MAINTENANCE 11/29-12/27/23		
	WSP USA ENVIRONMENT & INFRASTRUCTURE INC.	01/18/2024	642.60	102877
555700068	Invoice	DUNE & SHORELINE PROJECT SERVICES THROUGH 12/1/23		
	ACCESS CONTROL SECURITY INC.	01/25/2024	276.38	102878
0056709	Invoice	SECURITY: R. SANTANA 12/23/23		
	AMAZON CAPITAL SERVICES INC	01/25/2024	1,087.14	102879
11DN-DKL3-YFFM	Invoice	BOOKS FOR LIBRARY		
11DN-DKL3-YQF9	Credit Memo	BOOKS FOR LIBRARY		
11VK-GJMJ-LXMP	Invoice	ETHERNET CABLE		
11VK-GJMJ-MFN4	Credit Memo	BOOKS FOR LIBRARY		
16PR-TPPV-Y6MY	Credit Memo	BOOKS FOR LIBRARY		
19FG-VTCY-6JY6	Invoice	BOOKS FOR LIBRARY		
19LK-4K7P-Y9N3	Credit Memo	BOOKS FOR LIBRARY		
19PH-WY43-JC3T	Invoice	OFFICE SUPPLIES FOR LIBRARY		
1DLJ-WXW3-LL6P	Invoice	BOOKS FOR LIBRARY		
1KC4-Q4RN-YC7P	Invoice	BOOKS FOR LIBRARY		
1LR4-3YJM-XMMN	Invoice	BOOKS FOR LIBRARY		
1NWQ-7NP6-T799	Invoice	PROGRAM SUPPLIES FOR LIBRARY		
1TL1--F44J-7T1M	Invoice	IPHONE HDMI ADAPTER		
1VQF-LV4N-XH71	Credit Memo	BOOKS FOR LIBRARY		
	ANDREA ADAMS-MORDEN	01/25/2024	900.00	102880
232	Invoice	JUL-SEP 23 PARK RESTORATIONS		
233	Invoice	OCT-DEC 23 PARK RESTORATIONS		
	ANIMAL MEDICAL CLINIC	01/25/2024	2,426.92	102881
555826	Invoice	DEC23 EMERGENCY OUT OF CONTRACT VET SERVICES		
555979	Invoice	DEC23 EMERGENCY OUT OF CONTRACT VET SERVICES		
555980	Invoice	DEC23 EMERGENCY OUT OF CONTRACT VET SERVICES		
556059	Invoice	DEC23 EMERGENCY OUT OF CONTRACT VET SERVICES		
556369	Invoice	DEC23 EMERGENCY OUT OF CONTRACT VET SERVICES		
556549	Invoice	DEC23 CONTRACTED VET SERVICES		
556550	Invoice	DEC23 DOG LICENSE ISSUANCE		
	A-OK POWER EQUIPMENT	01/25/2024	7,133.80	102882
758030	Invoice	CORDLESS BLOWERS, BATTERIES		
	BAY ALARM	01/25/2024	180.00	102883
21100556	Invoice	SECURITY/FIRE MONITORING 2/1-4/30/24 LIBRARY		
	BOBS BACKHOE & TRUCKING	01/25/2024	3,208.50	102884
18875	Invoice	DEC23 BEACH BERM WORK 12/28		
	CAL DEPT OF JUSTICE	01/25/2024	64.00	102885
700475	Invoice	NOV23 FINGERPRINT APPLICATIONS		
706633	Invoice	DEC23 FINGERPRINT APPLICATIONS		
	CAL-COAST MACHINERY INC	01/25/2024	524.94	102886
874423	Invoice	FUEL FILTER PARTS FOR BEACH TRACTOR		
	CANNON	01/25/2024	319.50	102887

87013	Invoice	DEC23 VENOCO PIPELINE ABANDONMENT			
		CARPINTERIA CHILDREN'S PROJECT	01/25/2024	20,000.00	102888
FY23-24 GRANT	Invoice	FY23-24 COMMUNITY SERVICES SUPPORT GRANT			
		CARPINTERIA VALLEY LUMBER CO	01/25/2024	491.85	102889
526781	Invoice	LANDSCAPE TIE FOR CALLE OCHO POST			
527004	Invoice	KEY FOB BATTERIES, ELECTRIC PART FOR MONTE VISTA			
527079	Invoice	4X4 PRESSURE TREATED POST FOR SIGN WORK			
527171	Invoice	ELECTRICAL FOR MONTE VISTA PARK LIGHTS			
527216	Invoice	HARDWARE FOR MONTE VISTA PARK LIGHTS			
527220	Invoice	PAINT MATERIAL FOR CURB PAINTING			
527245	Invoice	MATERIAL FOR CITY HALL SIGN			
527297	Invoice	TARP FOR SHOP			
527696	Invoice	PLUMBING MATERIAL FOR BEACH SHOWER			
527708	Invoice	SHOWER VALVE FOR BEACH SHOWER			
527742	Invoice	PAINT BRUSH FOR CURB PAINTING			
K27875	Invoice	TRI FLO FOR SHOP, ANT KILLER FOR CITY HALL			
		CHRISTINA OSUNA	01/25/2024	100.00	102890
INV0005251	Invoice	CARPINTERIA FAMILY SCHOOL JOG-A-THON REFUND 2023			
		CIVICPLUS	01/25/2024	6,507.80	102891
262925	Invoice	MAY23 MUNICODE PAGES UPDATE			
277126	Invoice	SEP23 MUNICODE PAGES UPDATE			
283952	Invoice	DEC23 ONLINE CODE HOSTING			
286852	Invoice	DEC23 MUNICODE PAGES UPDATE			
		COAST AUTO PARTS INC	01/25/2024	64.64	102892
773727	Invoice	OIL FILTER FOR BEACH TRACTOR			
774046	Invoice	FUEL ADDITIVE FOR SWEEPER			
		COASTAL VIEW NEWS	01/25/2024	601.00	102893
60801	Invoice	ABOP AD 1/11/24			
60811	Invoice	HOUSING ELEMENT HEARING AD 1/11/24			
60812	Invoice	ORDINANCE 776 AD 1/11/24			
		COUNTY SANITATION COMPANY INC STEWARTS & SELZER PLUMBING	01/25/2024	1,760.00	102894
64140	Invoice	HYDRO JET EL CARRO/VIOLA 12/27/23			
64285	Invoice	CLEAR MAINLINE LIBRARY/VETS HALL 1/3/24			
		DEWBERRY ENGINEERS INC.	01/25/2024	4,637.78	102895
2384944	Invoice	DEC23 CARPINTERIA AVENUE BRIDGE REPLACEMENT			
		EASY LIFT TRANSPORTATION	01/25/2024	1,000.00	102896
7453	Invoice	JAN24 COMMUNITY TRANSPORTATION SERVICE			
		ENCOMPASS CONSULTANT GROUP INC	01/25/2024	12,817.50	102897
05146	Invoice	DEC23 PAVEMENT MAINTENANCE			
		GIRLS INC	01/25/2024	30,000.00	102898
FY23-24 GRANT	Invoice	FY23-24 COMMUNITY SERVICES SUPPORT GRANT			
		GRAINGER	01/25/2024	468.92	102899
9952198829	Invoice	LED LIGHTS FOR DOWNTOWN T			
		HOME DEPOT CREDIT SERVICES	01/25/2024	241.48	102900
5217254	Invoice	LED LIGHT FOR POOL			
6207533	Invoice	LIGHTS FOR MONTE VISTA BATHROOMS			
		HOSPICE OF SANTA BARBARA-COMPASSIONATE CARE OF CARPINTERIA	01/25/2024	12,500.00	102901
FY23-24 GRANT	Invoice	FY23-24 COMMUNITY SERVICES SUPPORT GRANT			
		LIN CONSULTING INC.	01/25/2024	560.64	102902
15349	Invoice	DEC23 ENGINEERING CARP & PALM AVE INTERSECTION			
		MCCORMIX CORP	01/25/2024	339.07	102903
14178	Invoice	FUEL FOR CITY VEHICLES			
		MISSION UNIFORM SERVICE	01/25/2024	553.58	102904
520668270	Invoice	MAT REPLACEMENT, UNIFORM CLEANING 12/18/23			
520668272	Invoice	TOWEL & MAT REPLACEMENT-CITY HALL 12/18/23			
520797563	Invoice	MAT REPLACEMENT, UNIFORM CLEANING 1/8/24			

520797564	Invoice	TOWEL & MAT REPLACEMENT-CITY HALL 1/8/24		
520836932	Invoice	MAT REPLACEMENT, UNIFORM CLEANING 1/15/24		
520836933	Invoice	MAT & TOWEL REPLACEMENT AT LIBRARY 1/15/24		
520836934	Invoice	TOWEL & MAT REPLACEMENT-CITY HALL 1/15/24		
	OVERDRIVE INC.		01/25/2024	642.96 102905
01352CO24011797	Invoice	JAN24 EBOOK/AUDIOBOOK FOR LIBRARY		
	PACIFIC PLUMBING SPECIALITIES		01/25/2024	195.67 102906
10407-0	Invoice	URINAL REPAIR KITS FOR PUBLIC RESTROOMS		
	PERRY FORD MAZDA		01/25/2024	166.29 102907
5182825	Invoice	BATTERY FOR FUSION		
	POLICORE INC.		01/25/2024	7,500.00 102908
403236	Invoice	IT SERVIES-CITY HALL DECEMBER 2023		
403237	Invoice	IT SERVIES-LIBRARY JULY 2023		
403238	Invoice	IT SERVIES-LIBRARY AUGUST 2023		
403239	Invoice	IT SERVICES-COMMUNITY POOL SEPTEMBER 2023		
403240	Invoice	IT SERVICES-COMMUNITY POOL OCTOBER 2023		
	QUINN COMPANY		01/25/2024	284.19 102909
PC010441362	Invoice	PARTS FOR UNIT 324		
	REGIONAL GOVERNMENT SERVICES		01/25/2024	32.69 102910
16021	Invoice	NOV23 CONTRACTED HR SERVICES SUPPORT		
	RENE SANTANA		01/25/2024	387.62 102911
INV0005252	Invoice	VETS HALL EVENT 12/23/23 REFUND		
	RISDON'S 76 SERVICE		01/25/2024	80.00 102912
2833	Invoice	CAR WASH FOR UNIT 255 12/17/23		
7659	Invoice	CAR WASH FOR UNIT 225 12/4/23		
9988	Invoice	CAR WASH FOR UNIT 255 12/10/23		
	ROADLINE PRODUCTS INC USA		01/25/2024	7,853.06 102913
19373	Invoice	VARIOUS FLASHING LED SYSTEMS		
	ROCKWELL PRINTING		01/25/2024	160.75 102914
43672	Invoice	MUNICIPAL RUBBER STAMP		
	ROTARY CLUB OF CARPINTERIA		01/25/2024	261.00 102915
20240101-9	Invoice	JANUARY-MARCH 2024 MEMBERSHIP		
	RRM DESIGN GROUP		01/25/2024	15,119.00 102916
2911-01-1223	Invoice	DEC23 FRANKLIN CREEK TRAIL IMPROVEMENT		
	SANTA BARBARA COUNTY SHERIFFS DEPT		01/25/2024	522,357.00 102917
1990	Invoice	JAN24 CONTRACTED LAW ENFORCEMENT SERVICES		
	SANTA BARBARA LOCKSMITH		01/25/2024	106.14 102918
144657	Invoice	KEY COPIES-POOL, VETS HALL, PUBLIC WORKS		
	SANTA BARBARA SWIM CLUB		01/25/2024	426.00 102919
INV0005253	Invoice	JAN24 SBSC SWIM MEET		
	SITEONE LANDSCAPE SUPPLY (ALL AROUND)		01/25/2024	312.73 102920
137531756-001	Invoice	HERBICIDE FOR PARKS		
137675798-001	Invoice	AQUALINE GAUGE/EPOXY FOR POOL BACKWASH PUMP		
	STESA		01/25/2024	6,000.00 102921
FY23-24 GRANT	Invoice	FY23-24 COMMUNITY SERVICES SUPPORT GRANT		
	TRI-CO REPROGRAPHICS		01/25/2024	2,239.75 102922
192426	Invoice	MYLAR PRINT, SMALL FORMAT 2022 PAVEMENT REHAB		
192712	Invoice	MONOCHROM, 20# BOND 2022 PAVEMENT REHAB		
	UNITED BOYS & GIRLS CLUBS		01/25/2024	25,000.00 102923
FY23-24 GRANT	Invoice	FY23-24 COMMUNITY SERVICES SUPPORT GRANT		
	WESTERN EXTERMINATOR COMPANY		01/25/2024	82.05 102924
56398139	Invoice	JAN24 PEST CONTROL AT VETS HALL		
	WILLIAMS SCOTSMAN INC.		01/25/2024	447.99 102925

9019935826	Invoice	JAN24 LEASE FOR PARK & REC MOBILE OFFICE		
	JAYNE DIAZ		01/25/2024	712.14 102926
INV0005275	Invoice	FEB24 MEDICAL REIMBURSEMENT		
	LARRY DRIGGERS		01/25/2024	712.14 102927
INV0005274	Invoice	FEB24 MEDICAL REIMBURSEMENT		
	MARY ANN COLSON		01/25/2024	712.14 102928
INV0005276	Invoice	FEB24 MEDICAL REIMBURSEMENT		
	MISSIONSQUARE		01/25/2024	8,999.86 102929
INV0005278	Invoice	Deferred Compensation Contribution-Part Time Emp		
INV0005279	Invoice	MissionSquareEmployee Contributions		
INV0005280	Invoice	MISSIONSQUARE Employee Contributions		
	SEIU LOCAL 620		01/25/2024	258.20 102930
INV0005281	Invoice	Employee Union Dues Contribution		
	ACCESS CONTROL SECURITY INC.		02/01/2024	239.25 102931
0056959	Invoice	SECURITY: V. VERDUZCO 1/6/24		
	AFLAC		02/01/2024	179.85 102932
610024	Invoice	JANUARY 2024 EMPLOYEE PREMIUMS		
	AMAZON CAPITAL SERVICES INC		02/01/2024	152.07 102933
19FG-VTCY-XLXK	Invoice	PRINTER TONER		
1GHC-RHPW-X9VL	Invoice	HEAVY DUTY EXTENTION CORDS		
	CANON FINANCIAL SERVICES INC		02/01/2024	1,249.52 102934
31914693	Invoice	JAN24 MAINT & SERVICE CANON PRINTERS		
	COTTON SHIRES AND ASSOCIATES INC		02/01/2024	1,990.00 102935
124077	Invoice	PROFESSIONAL ENGINEERING SVCS THROUGH 12/21/23		
	DOCUPRODUCTS		02/01/2024	48.16 102936
275010	Invoice	CANON DX4751I/C57601I COPIER METER CHARGES Q2 24		
	GUARDIAN		02/01/2024	9,161.42 102937
JAN24 PREIMIUMS-COBRA	Invoice	JAN24 PREMIUMS-COBRA		
JAN24 PREMIUMS-BTL,LTD,STD	Invoice	JAN24 PREMIUMS-BTL,LTD,STD		
JAN24 PREMIUMS-DENTAL	Invoice	JAN24 PREMIUMS-DENTAL		
JAN24 PREMIUMS-REITREE	Invoice	JAN24 PREMIUMS-RETIREE		
JAN24 PREMIUMS-VISION	Invoice	JAN24 PREMIUMS-VISION		
JAN24 PREMIUMS-VOL AD&D VC	Invoice	JAN24 PREMIUMS-VOL AD&D VOL LIFE		
	INFOARMOR INC		02/01/2024	71.80 102938
6456Jan24	Invoice	JAN24 IDENTITY THEFT EMPLOYEE PREMIUMS		
	MASON PICERNI		02/01/2024	100.00 102939
INV0005282	Invoice	VETS HALL EVENT 1/13/24 CANCEL REFUND		
	MENTAL WELLNESS CENTER		02/01/2024	1,750.00 102940
FY23-24 GRANT	Invoice	FY23-24 COMMUNITY SERVICES SUPPORT GRANT		
	NORTHERN TOOL AND EQUIPMENT		02/01/2024	3,983.19 102941
53062169	Invoice	6IN CYCLONIC CHIPPER		
53082241	Invoice	1200LB IDUS APPLIANCE		
	QUADIENT FINANCE USA INC		02/01/2024	500.00 102942
JAN24 7900 0440 8110 0954	Invoice	POSTAGE FOR CITY HALL 1/25/24		
	SO CA EDISON		02/01/2024	91.65 102943
JAN24 700163777874	Invoice	JAN24 ELECTRICITY-6145 CARPINTERIA AVE		
	STAPLES ADVANTAGE		02/01/2024	253.67 102944
3556255268	Invoice	2023 W-2 FORMS		
3556320459	Invoice	DOUBLE WINDOW ENVELOPES		
3556401988	Invoice	2023 1099 FORMS, FILE FOLDERS		
3556524680	Invoice	1099 ENVELOPES		
	VANESSA VERDUZCO		02/01/2024	291.75 102945
INV0005284	Invoice	VETS HALL EVENT 1/6/24 REFUND		

INV0005283	VINCENT SEMONSEN Invoice	DEC23 BIOLOGICAL SERVICES	02/01/2024	980.00	102946
94584807	WEX BANK (CHEVRON) Invoice	JAN24 FUEL FOR CITY VEHICLES	02/01/2024	1,207.74	102947
PR02 01/25/24	EDD-SIT Invoice	PR02 01/25/24 SIT TAXES	01/25/2024	5,856.81	DFT0003205
PR01 01/25/24	EDD-SDI Invoice	PR02 01/25/24 SDI TAXES	01/25/2024	1,691.78	DFT0003206
PR02 01/25/24	INTERNAL REVENUE SERVICE Invoice	PR02 01/25/24 FEDERAL TAX PAYMENT	01/25/2024	17,584.01	DFT0003207
2023 SALES/USE TAX	CALIFORNIA DEPT OF TAX & FEE ADMIN Invoice	2023 SALES TAX RETURN	01/25/2024	3,680.00	DFT0003210
1/6/24-1/19/24 CLASSIC 1/6/24-1/19/24 PEPRA	CalPERS Invoice	CLASSIC RETIREMENT CONTRIBUTION 1/6/24-1/19/24	01/25/2024	24,325.82	DFT0003211
	Invoice	PEPRA RETIREMENT CONTRIBUTION 1/6/24-1/19/24			



City of Carpinteria

COUNCIL AGENDA STAFF REPORT February 12, 2024

ITEM FOR COUNCIL CONSIDERATION

Accept Proposal from VIDIFLO, LLC in the Amount of \$32,221.37 for Replacement of the Government Access Television (GATV) Equipment.

STAFF RECOMMENDATION

Accept Proposal from VIDIFLO, LLC in the amount of \$32,221.37 for replacement of the Government Access Television (GATV) equipment.

Sample Motion: I move to accept the proposal from VIDIFLO, LLC in the amount of \$32,221.37 for the replacement of the Government Access Television (GATV) equipment. *(This motion requires a roll call vote.)*

BACKGROUND

Besides the City of Carpinteria City Council, other local public agencies use the City Council Chambers for their public meetings including, the Carpinteria Valley Water District, the Carpinteria Sanitary District, the Carpinteria Unified School District, and the Carpinteria-Summerland Fire Protection District. The City with the assistance of Television Santa Barbara (TVSB) operates and maintains the Government Access Television (GATV) equipment which is housed at City Hall. The GATV equipment video records meeting proceedings, broadcasts meetings live, rebroadcasts meeting videos, and displays the City's Scroll announcements over the local GATV channel (Channel 21).

In December 2023 a portion of the GATV equipment failed and staff sought proposals from qualified audio-visual expert companies (see Attachments A through C) to replace the equipment. Since the proposal is more than the maximum \$30,000 limit that the City Manager is permitted to authorize, staff is seeking Council approval for the purchase of the new GATV equipment and installation.

The purpose of this agenda matter is for the Council to consider accepting the proposal from VIDIFLO, LLC in the amount of \$32,221.37 for replacement of the GATV equipment.

DISCUSSION

In December 2023, the controller of the GATV equipment failed. The controller video records meeting proceedings in the Council Chambers and programs those meetings for replay on the local GATV Channel 21. The controller is a very important aspect in the function of the GATV equipment. After each videorecorded/broadcast public meeting, TVSB staff operating the GATV equipment would place the recorded meeting video onto a DVD for the particular agency for their records and/or for minute preparation.

Due to the failure of the controller, meetings are not able to be recorded for future viewing either as a rebroadcast or on a DVD; however, public meetings can still be broadcast live. This equipment is critical to other agencies using the Council Chambers who do not have recording backups. For example, the City typically has three separate video recordings of Council meetings: (1) recorded through the GATV equipment and placed on a DVD (not currently available); (2) recorded on the City's agenda management web-based platform Granicus and available to the public; and (3) recorded on the Zoom platform. Staff sought proposals to replace the GATV equipment from VIDIFLO, LLC; VMI; and International Electronic Enterprises, Inc. (iEEi). The three proposals are included as Attachments A through C, respectively. The lowest proposal is from VIDIFLO, LLC at \$32,221.37.

Technological benefits of VIDIFLO's proposed scope of work include:

- Replacing and upgrading outdated video equipment and video infrastructure
- Transitioning from an analog standard definition (SD) broadcast system to a digital high definition (HD) broadcast system
- Updating the GATV Scroll with a new robust Multi-Zone Bulletin Board and community pages
- Meeting videos on demand (to allow outside agencies to access their particular agency's meeting videos) and to record the meeting on a Secure Digital (SD) card (instead of a DVD)
- Ability to live stream meeting videos on YouTube and social media sites
- Multi-lingual closed captioning capabilities
- Branded channel setup for Roku, Amazon Fire and iPhone apps

There have not been any significant upgrades to the GATV equipment for many years. Additional future upgrades may include upgrading the cameras and the audio-visual system in the Council Chambers, installation of new television displays for Councilmembers, staff, and the public, and a voting system. With the current upgrades, the City will be able to provide an HD signal to COX Communications. As a separate agenda matter on tonight's Council meeting, the Council will be considering authorizing the Mayor to sign a request letter to COX Communications to provide public, education, and government (PEG) channels in HD. Should COX Communications begin to provide hi-definition to GATV Channel 21, the City would have the equipment and technology in place, like the Cities of Santa Barbara and Goleta, to broadcast in HD. Most importantly,

the current upgrades will improve the quality of meeting broadcasts and the City Scroll for the public.

POLICY CONSISTENCY

The proposed upgrades to the GATV equipment fall in line with the City's mission statement in that *"Government in Carpinteria shall be open, honest and equitable and shall encourage, to the fullest extent possible, public participation in the decision-making process."* In addition, the project is consistent with the approved City Council goals for FY 2024-25 to Enhance Public Outreach, Education, and Transparency.

FINANCIAL CONSIDERATIONS

No Additional Funding Requested. There is sufficient budget in 217-161-5201 – [Professional Services].

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

There are no legal nor risk management considerations presented with this report.

OPTIONS

1. Accept Proposal from VIDIFLO, LLC in the amount of \$32,221.37 for replacement of the GATV equipment. *(Staff recommendation)*
2. Decline acceptance of the proposal from VIDIFLO, LLC and direct staff as appropriate.

PRINCIPAL PARTIES EXPECTED AT MEETING

Erik Davis, Executive Director of TV Santa Barbara

ATTACHMENTS

A: Proposal from VIDIFLO, LLC

B: Proposal from VMI, Inc.

C: Proposal from International Electronic Enterprises, Inc.

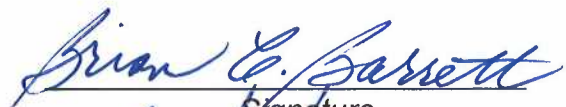
Staff contact:

Brian C. Barrett, City Clerk

(805) 755-4403; brianb@carpinteriaca.gov

Reviewed by: Michael Ramirez, City Manager

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


Signature

Signature

ATTACHMENT A
Proposal from VIDIFLO, LLC

Proposal to the City of Carpinteria, CA for Cablecast Video Server System

Prepared By: VIDIFLO, LLC, Rich Rosensweig
 Proposal: PR24010901
 Date: 1-9-2024

ITEM	QT	MFR	MODEL	DESCRIPTION	SELL	EXT SELL
1	1	CABLECAST	CBL-VIOLITE-600	Cablecast VIO Lite Video Server. 2 channel configurable 1x1 or 0x2 SD/HD SDI encode/decode, multi-format server with 8TB of storage in a 1 RU chassis. Selectable SD or HD SDI with embedded audio. Pulls in RTP, RTMP, RTSP, NDI, SRT and HLS streams. Includes Cablecast Automation, Video and CG server Software. Cablecast CG Player Software is optional. Includes graphics, crawl, bug, bug text on output. 3 year hardware warranty, system commissioning and one year of software assurance included.	\$9,700.00	\$9,700.00
2	1	CABLECAST	CBL-CGPLAYER-LIC	Cablecast CG Player License. Cablecast CG bulletin board software for installation in Cablecast VIO video servers. All bulletin board features and native integration with the Cablecast schedule for display of "Airs Again On", "Coming up Next" and Cablecast schedule bulletins, updated dynamically throughout the day. Includes 1 hour of remote installation support.	\$1,500.00	\$1,500.00
3	2	CABLECAST	CBL-VIOLITE-HA	Annual hardware assurance contract for the CBL-VIOLITE-600. First 3 years are included with the purchase. (For Years 4 & 5. Shows 25% Discount when purchased with system)	\$746.00	\$1,492.00
4	8	CABLECAST	CBL-SAS-CH-1YR	Annual software maintenance contract per I/O (Input/Output). Covers all the software upgrades. VIOLITE has 2 I/O * 4 years = 8 each. 10% Discount shown for purchase with system. including major releases at one facility.	\$360.00	\$2,880.00
5	1	BLACKMAGIC DESIGN	HYPERD/ST/DAHM	HyperDeck Studio HD Mini 1080p60 Recorder with USB-C & Time Code Generator	\$495.00	\$495.00
6	2	ANGELBIRD	SDXC UHS-II V90 300R 256GB	256GB SD Card for Hyperdeck Studio	\$300.00	\$600.00
7	1	BLACKMAGIC DESIGN	CONVNTRM/YA/RSB	Teranex Mini 1RU Rack Shelf for up to 3 Converters	\$115.00	\$115.00
8	1	BLACKMAGIC DESIGN	HDL-AUDMON1RU12G	Analog / AES/EBU and SDI Audio Monitoring	\$1,235.00	\$1,235.00
9	1	BLACKMAGIC DESIGN	VHUBSMTCS6G1212	12 x 12 SDI Matrix Switcher	\$1,495.00	\$1,495.00
10	1	AJA	FS-1X	SDI Frame Synchronizer	\$4,399.00	\$4,399.00

11	1	BLACKMAGIC DESIGN	CONVNTRM/BA/SDIAN	Teranex Mini - SDI to Analog 12G Video
12	1	BLACKMAGIC DESIGN	CONVNTRM/YA/SMTPN	Teranex Mini Smart Control Panel
13	1	BLACKMAGIC DESIGN	BDLKWEBPTRPRO	Web Presenter HD H.264 Live Streaming Encoder (For YouTube Streamming)
14	1	VARIOUS	INSTALL MATERIALS	Cables, Connectors, Hardware

\$545.00	\$545.00
\$89.00	\$89.00
\$515.00	\$515.00
\$533.00	\$533.00

Sub-Total: \$25,593.00
 Sales Tax: 9.00% \$2,303.37
 Total: \$27,896.37
 Freight: \$225.00

15	1	VIDIFLO	System Design	System Design Engineering
16	1	VIDIFLO	System Installation	System Installation
17	1	VIDIFLO	System Orientation Training	System Orientation Training
18	1	VIDIFLO	Travel & Expense	Travel & Expense

\$800.00
\$2,400.00
\$500.00
\$400.00

Grand Total: \$32,221.37

Terms are 40% Deposit with Order, 40% Upon Delivery of Equipment, Balance Net 20 Days.
 Proposal shall be valid for 60 Days. Delivery is 6-8 Weeks ARO.
 Work is expected to take 2 Business Days,

ATTACHMENT B
Proposal from VMI, Inc.

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John Delmont
11258 Monarch St.
Unit A
Garden Grove, CA 92841
714-894-6100
FAX 714-894-6110
jdeltmont@vmivideo.com
www.vmivideo.com

Quotation

Page 1 of 2

Date: 1/24/2024
Quote:
Valid Until:
Availability: TBD ARO

RFQ #:
Project Name:
CA Reseller # SRYGH102-543530
VMI Fed Tax # 94-2395703
CA License # 995912

Bill to:
Accts Payable

SAME

Ship to: City of Carpinteria
Brian Barrett / Erik Davis
5775 Carpinteria Ave,
Carpinteria, CA 93013

CA TAX ID # 760258
Small Business # 1130920
Woman Owned

Tax	Terms	Drop Ship	Ship Via	FOB	Required By	PO #
YES	Net 30	NO	Best Way	Origin		TBD

Qty	Manufacturer	Item	Description	Unit Price	Total
1	Cablecast	CBL-VIOLITE-600	Cablecast VIO Lite Video Server	\$10,777.00	\$10,777.00
1	Cablecast	CBL-CGPLAYER-LIC	Cablecast CG Player License.	\$1,670.00	\$1,670.00
2	Cablecast	CBL-VIOLITE-HA	Annual hardware assurance	\$877.00	\$1,754.00
8	Cablecast	CBL-SAS-CH-1YR	Annual software maintenance contract per in and out. Covers Software Upgrades.	\$425.00	\$3,400.00
1	Blackmagic Design	HYPERD/ST/DAHM	Hyper Deck Studio Mini	\$550.00	\$550.00
2	Angel Bird	SDXC UHS-II V90 300R 256	256GB SD Card	\$350.00	\$700.00
1	CONVNTRM/YA/RSH	CONVNTRM/YA/RSH	Teranex Mini 1RU Rack Shelf	\$145.00	\$145.00
1	Blackmagic Design	HDL-AUDMON1 RU12G	Analog / AES/EBU and SDI Audio Monitor	\$1,375.00	\$1,375.00
1	Blackmagic Design	VHUBSMTCS6G 1212	12 x 12 Matrix Switcher	\$1,700.00	\$1,700.00
1	AJA	FS-1X	SDI Frame Synchronizer	\$4,877.00	\$4,877.00
1	Blackmagic Design	CONVNTRM/BA/SDIAN	Teranex Mini - SDI to Analog 12G Vide	\$640.00	\$640.00
1	Blackmagic Design	CONVNTRM/YA/SMPN	Teranex Mini Smart Control Panel	\$107.00	\$107.00
1	Blackmagic Design	BDLKWEBPTR PRO	WebPresenter HD	\$605.00	\$605.00

Comments:

Accepted By: _____

Title: _____

Date: _____

PO Number: _____

VMI, Inc.



Quotation

Page 2 of 2

John Delmont
11258 Monarch St.
Unit A
Garden Grove, CA 92841
714-894-6100
[FAX 714-894-6110](tel:714-894-6110)
jdeltmont@vmivideo.com

Date: 1/24/2024

Accts Payable

Ship to: City of Carpinteria
Brian Barrett / Erik Davis

Tax	Terms	Drop Ship	Ship Via	FOB	Required By	PO #
YES	Net 30	NO	Best Way	Origin		TBD

Qty	Manufacturer	Item	Description	Unit Price	Total
1	VMI	IM	Installation Materials	\$675.00	\$675.00
1	VMI	IL	System Design	\$1,000.00	\$1,000.00
1	VMI	IL	Systemn Install/ Commissioning	\$3,300.00	\$3,300.00
1	VMI	IL	System Trainibng	\$625.00	\$625.00
1	VMI		Travel Expenses	\$600.00	\$600.00
1	Shipping		Standard Ground Shipping	\$435.00	\$435.00

subtotal	\$34,935.00
9.000% tax	\$2,646.90
Total	\$37,581.90

ATTACHMENT C

Proposal from International Electronic Enterprises, Inc.

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**IEEI.COM & IEEI.TV****110 Agate Avenue , Newport Beach, CA. 92662****Phone: 949-673-2943 - Fax: 949-673-0249****Email: dennis@ieei.com**

Date	Quote Number
01/24/24	IEEQ6531

Sold To:

City of Carpinteria
5775 Carpinteria Ave
Carpinteria, CA 93013
Brian Barrett, City Clerk
Phone: 805-755-4403
Email: BrianB@carpinteriaca.gov

Ship To:

City of Carpinteria
5775 Carpinteria Ave
Carpinteria, CA 93013
Brian Barrett, City Clerk
Phone: 805-755-4403
Email: BrianB@carpinteriaca.gov

Make payment payable to: International Electronic Enterprises, Inc.

Terms	Rep	P.O. Number	Ship Via
50% due on PO / 50% after	Dennis Bress	Pending	FEDEX

Item #	Qty	Part Number	Description	Unit Price USD	Ext. Price USD
1	1	CBL-VIOLITE-600-DB	CBL-VIOLITE-600-DB, Cablecast VIO Lite Video Server. 2 channel configurable 1x1 or 0x2 SD/HD SDI encode/decode, multi-format server with 8TB of storage in a 1 RU chassis. Selectable SD or HD SDI with embedded audio. Pulls in RTP, RTMP, RTSP, NDI, SRT and HLS streams. Includes Cablecast Automation, Video and CG server Software. Cablecast CG Player Software is optional. Includes graphics, crawl, bug, bug text on output. 3 year hardware warranty, system commissioning and one year of software assurance included.	\$11,350.00	\$11,350.00
2	1	CBL-CGPLAYE R-LIC-DB	CBL-CGPLAYER-LIC-DB, Cablecast CG Player License. Cablecast CG bulletin board software for installation in Cablecast VIO video servers. All bulletin board features and native integration with the Cablecast schedule for display of "Airs Again On", "Coming up Next" and Cablecast schedule bulletins, updated dynamically throughout the day. Includes 1 hour of remote installation support.	\$1,725.00	\$1,725.00
3	2	CBL-VIOLITE-HA-DB	CBL-VIOLITE-HA-DB, Annual hardware assurance contract for the CBL-VIOLITE-600. First 3 years are included with the purchase.	\$905.00	\$1,810.00
4	8	CBL-SAS-CH-1YR-DB	CBL-SAS-CH-1YR-DB Annual software maintenance contract per I/O (Input/Output). Covers all the software upgrades.	\$400.00	\$3,200.00
5	1	HYPERD/ST/DAH M-DB	HYPERD/ST/DAH M-DB, HyperDeck Studio HD Mini 1080p60 Recorder with USB-C & Time Code Generator	\$550.00	\$550.00
6	2	SDXC UHS-II V90 300R 256-DB	SDXC UHS-II V90 300R 256-DB, 256GB SD Card for Hyperdeck Studio	\$405.00	\$810.00
7	1	CONVNTRM/YA /RSH-DB	CONVNTRM/YA/RSH-DB, Teranex Mini 1RU Rack Shelf for up to 3 Converters	\$161.00	\$161.00

Quote Number	IEEQ6531
Date	01/24/24
Time	12:24:08

110 Agate Avenue
Newport Beach, CA. 92662 USA
Tele: 949-673-2943 Fax: 949-673-0249
Email: dennis@ieei.com or sales@ieei.com
WEB SITE: www.ieei.tv and www.ieei.com

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Item #	Qty	Part Number	Description	Unit Price USD	Ext. Price USD
8	1	HDL-AUDMON1 RU12G-DB	HDL-AUDMON1RU12G-DB, Analog / AES/EBU and SDI Audio Monitoring	\$1,505.00	\$1,505.00
9	1	VHUBSMTCS6 G1212-DB	VHUBSMTCS6G1212-DB, 12 x 12 SDI Matrix Switcher	\$1,705.00	\$1,705.00
10	1	FS-1X-DB	FS-1X-DB SDI Frame Synchronizer	\$5,000.00	\$5,000.00
11	1	CONVNTRM/BA /SDIAN-DB	CONVNTRM/BA/SDIAN-DB, Teranex Mini - SDI to Analog 12G Video	\$600.00	\$600.00
12	1	CONVNTRM/YA /SMTPN-DB	CONVNTRM/YA/SMTPN-DB, Teranex Mini Smart Control Panel	\$105.00	\$105.00
13	1	BDLKWEBPTR PRO-DB	BDLKWEBPTRPRO-DB Web Presenter HD H.264 Live Streaming Encoder (For YouTube Streaming)	\$575.00	\$575.00
14	1	MISC	Miscellaneous : Items needed for install	\$700.00	\$700.00
15			Install Services : Including design and training		
16	1	IEEI Install	IEEI Install systems install, including design and training	\$4,855.00	\$4,855.00
17	1	TAX	TAX, California Sales Tax, Carpinteria 9%	\$2,681.64	\$2,681.64
				Total	\$37,332.64

Sales Order

Equipment is the property of IEEI until paid in full.

Mr. Dennis Bress, President / CEO

Quote Number	IEEQ6531
Date	01/24/24
Time	12:24:08

110 Agate Avenue
Newport Beach, CA. 92662 USA
Tele: 949-673-2943 Fax: 949-673-0249
Email: dennis@ieei.com or sales@ieei.com
WEB SITE: www.ieei.tv and www.ieei.com

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City of Carpinteria

COUNCIL AGENDA STAFF REPORT February 12, 2024

ITEM FOR COUNCIL CONSIDERATION

Request Letter to Cox Communications to Provide Public, Education, and Government (PEG) Channels in Hi-Definition (HD).

STAFF RECOMMENDATION

Approve and authorize the Mayor to sign a letter to COX Communications requesting COX provide hi-definition (HD) to public, education, and government (PEG) channels.

Sample Motion: I move to approve and authorize the Mayor to sign and transmit a letter to COX Communications requesting COX provide hi-definition (HD) to public, education, and government (PEG) channels.

BACKGROUND

In 2006, then Governor Schwarzenegger, signed Assembly Bill 2987, the Digital Infrastructure and Video Competition Act (DIVCA). DIVCA created a new state video franchise process that replaced the process of negotiating local video franchise agreements. The primary change brought about by DIVCA is that municipalities do not have the authority to issue franchises to video providers such as with COX Communications (franchise agreement with COX expired in October 2018). Under DIVCA the authority to issue new franchises is now under the direction of the California Public Utilities Commission. DIVCA required a local ordinance to be established before various provisions became effective and enforceable. The City Council adopted Ordinance No. 720 on May 14, 2018 (see Attachment A).

Under DIVCA, cable companies operating in California are only required to provide PEG channels in SD format at a minimum. As a result, cities, including Carpinteria, receive frequent complaints about the clarity of government broadcasts (e.g., City Council meetings), especially for presentations including data charts, tables, and graphics

The purpose of this agenda matter is for the Council to consider authorizing the Mayor to sign a letter to COX Communications requesting COX provide HD to PEG channels,

including Government Access Television (GATV) Channel 21, which broadcasts meetings for the City of Carpinteria.

DISCUSSION

The Television Santa Barbara (TVSB) Board of Directors, the City Councils of the Cities of Santa Barbara and Goleta, as well as the County Board of Supervisors, and Congressman Carbajal, all strongly support that COX broadcast the PEG channels in HD. See Attachment B for draft joint support letter to Cox Communications.

As a separate agenda matter for tonight's Council meeting, the Council will consider accepting a proposal from VIDIFLO, LLC for replacement of GATV Equipment. Should COX Communications begin to provide hi-definition to GATV Channel 21, the City would have the equipment and technology in place, like the Cities of Santa Barbara and Goleta, to broadcast in HD. Importantly, the upgrades will improve the quality of meeting broadcasts and the City Scroll for the public. Providing PEG channels in HD would greatly improve the readability of public meeting presentations and improve the communication between local officials and their constituents.

POLICY CONSISTENCY

The proposed support letter is consistent with the City's mission statement in that *"Government in Carpinteria shall be open, honest and equitable and shall encourage, to the fullest extent possible, public participation in the decision-making process."* In addition, the letter aligns with recently adopted City Council goals for fiscal year 2024-25, including to, "Enhance public outreach, education, and transparency."

FINANCIAL CONSIDERATIONS

No Additional Funding Requested. Minimal staff time to prepare the report is included in the Adopted FY 2023-24 Budget.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

There are no legal nor risk management considerations presented with this report.

OPTIONS

1. Approve and authorize the Mayor to sign a letter to COX Communications requesting COX to provide hi-definition (HD) to public, education, and government (PEG) channels. *(Staff recommendation)*
2. Direct staff to suggest changes to the letter.
3. Decline authorization for the Mayor to sign the support letter.

PRINCIPAL PARTIES EXPECTED AT MEETING

Erik Davis, Executive Director of TV Santa Barbara

ATTACHMENTS

A: Adopted Ordinance No. 720

B: Draft Support Letter to Cox Communications

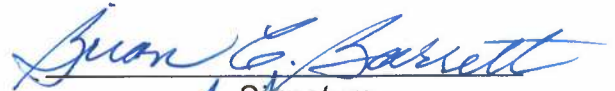
Staff contact:

Brian C. Barrett, City Clerk

(805) 755-4403; brianb@carpinteriaca.gov

Reviewed by: Michael Ramirez, City Manager

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



Signature



Signature

ATTACHMENT A

Draft Support Letter to COX Communications

February 1, 2024

Kirsten McLaughlin
Market Vice-President Santa Barbara
Cox Communications
22 S. Fairview Ave Goleta, CA 93117

RE: Request for Cox Communications to provide Public, Education, and Government Channels in hi-definition (HD)

Dear Kirsten:

The undersigned organizations are writing to request Cox Communications provide hi-definition (HD) to Public, Education, and Government (PEG) channels that service our community. Cox Communications is an essential partner in providing PEG television services to the residents of the south coast of Santa Barbara County. PEG is an important part of local communication efforts to keep our residents informed through making our local government processes transparent and open to the public, provide accessible free speech opportunities to every community member, promote, and highlight our incredible range of community serving non-profit and arts and culture organizations, and shine the light on the diversity of our world class educational institutions.

We are requesting that Cox Communications provide these channels to the public in today's standard of the industry that people have come to expect, HD. Nearly all 7 of the local PEG channels can provide their signals to the Cox Communications headend in HD. Currently, each channel must now down convert their signal to standard definition (SD) to send it to the Cox Communications headend out at Fairview because that is the only format that Cox will currently accept from the PEG channels.

Among the reasons we feel Cox Communications can better serve the community by providing HD are:

- Distributing the PEG channels in HD would be a community benefit and fit well with Cox's corporate charitable giving history in the Santa Barbara community.
- The PEG channels are the only channels, as far as we can determine, on the basic tier of service that are distributed in SD. Putting them in HD would put them on an equal level technology wise with the other basic



Please consider the environment before printing this letter.

tier channels and overall improve the quality of the cable TV product that Cox offers the community.

- SD is a dead-end technology developed in the 1940's. Equipment choices are limited, and SD gear is not available in many equipment categories.
- Cox is already distributing PEG channels in HD to its customers in systems across the country. Virginia, Nevada, Nebraska, and Arizona for example.
- Closed captioning information is not as legible in SD as it is in HD. If HD was implemented accessibility would improve.
- The cost of distributing the PEG signal in HD is minimal and each channel may have to purchase and install a new encoder to complete the technical handshake with the Cox headend.
- This fits with Cox Communications' new hyper local TV channel carried in Santa Barbara and in Cox systems nationwide, YurView HD. Which purports to combine broadcast TV and streaming content to bring more local offerings to the customer in HD. The PEG channels seem to fit this type of programming philosophy as well. The primary difference being the PEG channels are not distributed in HD and are non-commercial. However, being similar in that they are all hyper local programming targeting community service and information.
- One of the most important things the Government channels (Santa Barbara, Goleta, Carpinteria and the County of Santa Barbara) do is to provide detailed budget information. This information is very difficult for the public to read, understand and discern the complex details and analysis contained therein the materials when distributed in SD. HD would greatly improve the readability of these exhibits making them immanently more understandable for the public viewing and thus improving the communication between our local officials and their constituents.

TV Santa Barbara is willing to act as lead agency and would happily sit down and discuss how to make this happen technically. TV Santa Barbara is open to sharing any reasonable costs for channels 17 and 71, if new encoders had to be purchased or other modifications to the Cox infrastructure had to be made based on discussions with Cox staff. The other channel operators may be willing to consider a similar arrangement if needed.

We understand that state law 2006's Digital Infrastructure and Video Competition Act (DIVCA) only requires cable companies operating in the State of California to provide the PEG channels in NTSC SD format at a minimum. We are hopeful Cox Communications sees the benefit in providing quality access across its services and recognizes the value of PEG channels to its customers and the community at large. In addition, we believe there is a section in DIVCA that seems to indicate a regulatory path for PEG Channels to be distributed in HD. It is as follows: 5870(3) *The PEG access capacity provided shall be of similar*

Cox Communication Request
Hi-definition (HD) to PEG Channels
February 1, 2024
Page 3

quality and functionality to that offered by commercial channels on the lowest cost tier of service unless the signal is provided to the holder at a lower quality or with less functionality. All the PEG channels can currently provide an HD signal to Cox with the exception of the City of Carpinteria. Carpinteria is in the process of upgrading their equipment and will be able to provide an HD signal for the handshake with Cox headend in the near future.

Finally, we believe that the Emergency Alert System (EAS) messaging that is put out during emergencies and is transmitted through the cable system by Cox should be transmitted in HD if at all possible. It appears to be in SD and for the same reasoning as the PEG channel HD request it will be more easily viewable by the public in times of need if in HD.

For these reasons, the undersigned organizations respectfully request your support of this request.

Sincerely,



Meighann Helene
Chair, TV Santa Barbara Board of Directors



Randy Rowse
Mayor, City of Santa Barbara



Paula Perrotte
Mayor, City of Goleta



Al Clark
Mayor, City of Carpinteria



Das Williams
Chair of the Board of Supervisors, 1st District Supervisor
County of Santa Barbara



Monique Limon
Senate District 19
State of California

Cox Communication Request
Hi-definition (HD) to PEG Channels
February 1, 2024
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Gregg Hart
37th Assembly District
State of California



Natalie Walsh
Executive Director, University of California Television (UCTV)

ATTACHMENT B

Adopted Ordinance No. 720

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ORDINANCE NO. 720

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA, AMENDING SECTION 5.70.020 AND ADDING CHAPTER 5.71 OF THE CARPINTERIA MUNICIPAL CODE RELATING TO IMPLEMENTATION OF THE DIGITAL INFRASTRUCTURE AND VIDEO COMPETITION ACT OF 2006 FOR STATE FRANCHISE HOLDERS PROVIDING VIDEO SERVICE THROUGHOUT THE CITY.

THE CITY COUNCIL OF THE CITY OF CARPINTERIA DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 5.70.020 of Chapter 5.70 of the Carpinteria Municipal Code is amended to read as follows:

Section 5.70.020 Franchise required.

No person may construct or operate a cable communications system in the city without first obtaining a city franchise therefor unless the person has been awarded a state video franchise under the Digital Infrastructure and Video Competition Act of 2006, California Public Utilities Code section 5800 *et seq.*, in which case the provisions of Chapter 5.71 shall apply to that person upon the expiration of the person's existing franchise granted by the city.

SECTION 2. Chapter 5.71 is added to the Carpinteria Municipal Code to read as follows:

Section 5.71.010 General Provisions

(1) This Chapter 5.71 is intended to be applicable to state franchise holders who have been awarded a state video franchise under the California Public Utilities Code section 5800 *et seq.*, as amended from time to time (the Digital Infrastructure and Video Competition Act of 2006 ["DIVCA"]), to serve any location(s) within the incorporated boundaries of the City. It is the purpose of this section to implement within the incorporated boundaries of the City the provisions of DIVCA and the rules of the California Public Utilities Commission promulgated there under that are applicable to a "local franchising entity" or a "local entity" as defined in DIVCA.

(2) The rights reserved to the City under this Chapter 5.71 are in addition to all other rights of the City, whether reserved by Chapter 5.71 or authorized by law, and no action, proceeding or exercise of a right shall affect any other rights which may be held by the City.

(3) Except as otherwise expressly provided by DIVCA, a state franchise shall not include, or be a substitute for:

(i) compliance with generally applicable requirements for the privilege of transacting and carrying on a business within the City, including, but not

limited to, compliance with the conditions that the City may establish before facilities may be constructed for, or providing, non-video services;

(ii) any permit or authorization required in connection with construction, repair, maintenance and/or operations on or in public rights-of-way or public property, including, but not limited to, coastal development permits and encroachment permits; and

(iii) any permit, agreement or authorization for occupying any other property of the City or any private person to which access is not specifically granted by the state franchise.

(4) Except as otherwise provided in DIVCA, a state franchise shall not relieve a state franchisee of its duty to comply with all laws, including the ordinances, resolutions, rules, regulations, and other laws of the City, and every state franchisee shall comply with the same.

(5) Nothing contained in this Section 5.71 shall ever be construed so as to exempt a state franchise holder from compliance with all ordinances, rules or regulations of the City now in effect or which may be hereafter adopted which are consistent with the DIVCA.

Section 5.71.020 Definitions.

(1) For purposes of this Section 5.71, the following terms, phrases, words, and their derivations shall have the meaning given in this section. Unless otherwise expressly stated, words not defined in this section 5.71 shall be given the meaning set forth in Section 5.70.010 of the Carpinteria Municipal Code as may be amended from time to time, unless the context indicates otherwise. Words not defined in this subsection (b) or Section 5.70.010 of the Carpinteria Municipal Code shall have the same meaning as established in (1) DIVCA, and if not defined therein, (2) Commission rules implementing DIVCA, and if not defined therein, (3) Title VI of Title 47 of the Communications Act of 1934, as amended, 47USC § 521 et. seq., and if not defined therein (4) their common and ordinary meaning. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, words in the singular number include the plural number, and "including" and "include" are not limiting. The word "shall" and "will" are always mandatory. References to governmental entities (whether persons or entities) refer to those entities or their successors in authority. If specific provisions of law referred to herein are renumbered, then the reference shall be read to refer to the renumbered provision. References to laws, ordinances or regulations shall be interpreted broadly to cover government actions, however nominated, and include laws, ordinances and regulations now in force or hereinafter enacted or amended.

(i) "Director" means the Director of the Public Works Department of the city, acting either directly or through authorized agents.

(ii) "Gross revenues" as defined in California Public Utilities Code section 5860.

(iii) "PEG access," "PEG use," or "PEG" means the availability of a cable or state franchise holder's system for public, educational, or governmental use by various agencies, institutions, organizations, groups, and individuals, including the City and its designated access providers, to acquire, create, and distribute programming not under a state franchise holder's editorial control.

(iv) "State franchise holder" or "State Franchisee" means a cable operator or video service provider that has been issued a franchise by the California Public Utilities Commission to provide cable service or video service, as those terms are defined in California Public Utilities Code section 5830, within any portion of the incorporated limits of the City.

Section 5.71.030 Franchise Fees.

(1) Any state franchise holder operating within the incorporated areas of the City shall pay to the City a state franchise fee equal to five percent (5%) of gross revenues.

(2) The state franchise fee required pursuant to this subsection shall each be paid quarterly, in a manner consistent with California Public Utilities Code section 5860. The state franchise holder shall deliver to the City, by check or other means, which shall be agreed to by the City, a separate payment for the state franchise fee not later than forty-five (45) days after the end of each calendar quarter. Each payment made shall be accompanied by a report explaining how the payment was calculated. The City may request additional information explaining the calculation by the state franchise holder.

(3) The City may audit the business records of the holder of a state franchise not more than once annually, in a manner consistent with California Public Utilities Code section 5860(i).

(4) In the event a state franchise holder fails to make payments required by this section on or before the due dates specified in this section, the City shall impose a late charge at the rate per year equal to the highest prime lending rate during the period of delinquency, plus one percent (1%).

(5) In the event a state franchise holder leases or licenses access to a network owned by the City, the City may set a franchise or other fee for access to the City-owned network separate and apart from the franchise fee charged to state franchise holders pursuant to this subsection which fee shall otherwise be payable in accordance with the procedures established by this section.

Section 5.71.040 Customer Service

(1) A state franchise holder shall comply with Sections 53055, 53055.1, 53055.2 and 53088.2 of the California Government Code; the FCC customer service and notice standards set forth in Sections 76.309, 76.1602, 76.1603, and 76.1619 of Title 47 of the Code of Federal Regulations; Section 637.5 of the California Penal Code; the privacy standards of Section 551 of Title 47 of the United States Code; and all other

applicable state and federal customer service and consumer protection standards pertaining to the provision of cable service or video service, including any such standards hereafter adopted. In case of a conflict, the stricter standard shall apply. All customer service and consumer protection standards under this paragraph shall be interpreted and applied to accommodate newer or different technologies while meeting or exceeding the goals of the standards.

(2) The City may enforce the compliance of state franchisees with respect to the state and federal customer service and consumer protection standards set forth in paragraph (1). In the event of enforcement, the City will provide a state franchisee with a written notice of any material breaches of applicable customer service or consumer protection standards, and will allow the state franchisee 30 days from the receipt of the notice to remedy the specified material breach. Material breaches not remedied within the 30-day time period will be subject to the following penalties to be imposed by the City:

(i) For the first occurrence of a material breach, a fine of \$500 may be imposed for each day the violation remains in effect, not to exceed \$1,500 for each violation.

(ii) For a second material breach of the same nature within 12 months, a fine of \$1,000 may be imposed for each day the violation remains in effect, not to exceed \$3,000 for each violation.

(iii) For a third material breach of the same nature within 12 months, a fine of \$2,500 may be imposed for each day the violation remains in effect, not to exceed \$7,500 for each violation.

(3) Any penalties imposed by the City shall be imposed in a manner consistent with California Public Utilities Code section 5900.

Section 5.71.050 Permits and Construction

(1) Except as expressly provided in this Chapter 5.71, all provisions of Title 12 (Streets, Sidewalks, and Public Places) of the Carpinteria Municipal Code, and all city administrative rules and regulations developed to any of these provisions, as now existing or as hereafter amended, shall apply to all work performed by or on behalf of a state franchise holder on any City public rights-of-way, public property, or City easement.

(2) Prior to commencing any work for which a permit is required by Title 12, a state franchise holder shall apply for and obtain a permit in accordance with the applicable provisions of the Carpinteria Municipal Code and shall comply with all other applicable laws and regulations, including but not limited to all applicable requirements of Division 13 of the California Public Resources Code, section 21000, *et seq.* (the California Environmental Quality Act).

Section 5.71.060 Emergency Alert

(1) Each state franchise holder shall comply with the emergency alert system requirements of the Federal Communications Commission in order that emergency messages may be distributed over the state franchise holder's network.

(2) To the extent consistent with California Public Utilities Code section 5880, each state franchisee shall provide the system capability to transmit an emergency alert signal to all participating subscribers, in the form of an emergency override capability to permit the City to interrupt and cablecast an audio message on all channels simultaneously in the event of a disaster or public emergency.

Section 5.71.070 Public, Educational and Government Access Channel Capacity, Interconnection, and Signal Carriage

(1) PEG Channel Capacity.

(i) A state franchisee that has been authorized by the California Public Utilities Commission to provide video service in the City shall designate a sufficient amount of capacity on its network to allow the provision of the same number of public, educational, and government access channels as were activated and provided on January 1, 2007 (at least seven PEG channels to satisfy the requirements of state law, within the time limits specific by state law).

(ii) A state franchisee shall provide an additional PEG channel when the standards set forth in Section 5870(d) of the California Public Utilities Code are satisfied by the City or any entity designated by the City to manage one or more of the PEG channels.

(2) PEG Support.

(i) Any state franchise holder operating within the City shall pay to the City, or if directed by the City, pay to the City's designated PEG provider a PEG fee equal to one percent (1%) of gross revenues as defined by DIVCA.

(ii) The PEG support fee shall be used for PEG purposes consistent with the terms of the incumbent cable operator's franchise during the period of January 1, 2006 to December 30, 2006 and state and federal law.

(iii) A state franchisee shall remit the PEG support fee to the City quarterly, within forty-five days after the end of each calendar quarter. Each payment made shall be accompanied by a report explaining how the PEG support fee was calculated.

(iv) If a state franchisee fails to pay the PEG support fee when due, or underpays the proper amount due, the state franchisee shall pay a late payment charge at the rate per year equal to the highest prime lending rate during the period of delinquency, plus one percent (1%).

(v) Notwithstanding Public Utilities Code Section 5870(n), upon the expiration of any state franchise, without any action of the City Council, this section shall be deemed to have been automatically reauthorized, unless the state franchise holder has given the City Manager and the City Council written notice sixty days prior to the expiration of its state franchise that the section will expire pursuant to the terms of Public Utilities Code Section 5870(n).

(3) PEG Carriage and Interconnection.

(i) As set forth in Sections 5870(b) and 5870(g) (3) of the California Public Utilities Code, state franchisees shall ensure that all PEG channels are receivable by all subscribers, whether they receive digital or analog service, or a combination thereof, without the need for any equipment other than that needed to receive the lowest cost tier of service. PEG access capacity provided by a state franchisee shall be of similar quality and functionality to that offered by commercial channels, shall be capable of carrying a National Television System Committee (NTSC) quality television signal, and shall be carried on the state franchisee's lowest cost tier of service. To the extent feasible, the PEG channels shall not be separated numerically from other channels carried on the lowest cost tier of service and the channel numbers for the PEG channels shall be the same channel numbers used by any incumbent cable operator, unless prohibited by federal law. After the initial designation of the PEG channel numbers, the channel numbers shall not be changed without the agreement of the City unless federal law requires the change.

(ii) As set forth in Section 5870(h) of the California Public Utilities Code, the holder of a state franchise and an incumbent cable operator shall negotiate in good faith to interconnect their networks for the purpose of providing PEG programming. If a state franchisee and an incumbent cable operator cannot reach a mutually acceptable interconnection agreement for PEG carriage, the City shall require the incumbent cable operator to allow the state franchisee to interconnect its network with the incumbent cable operator's network at a technically feasible point on the state franchisee's network as identified by the state franchisee. If no technically feasible point of interconnection is available, the state franchisee shall make interconnection available to each PEG channel originator programming a channel in the City and shall provide the facilities necessary for the interconnection. The cost of any interconnection shall be borne by the state franchisee requesting the interconnection unless otherwise agreed to by the parties.

(iii) As set forth in Section 5870(f) of the California Public Utilities Code, the content of the PEG channel is the responsibility for the local entity or its designee receiving the benefit of that capacity, and the holder of the state franchise bears only the responsibility for the transmission of that content, subject to technological restraints.

Section 5.71.080 Notices to City

(1) Each state franchise holder or applicant for a state franchise shall concurrently file with the City a complete copy of all applications, amendments to applications and notices that the state franchise holder or applicant is required to file with the California Public Utilities Commission. Within 30 days of receipt, the City Manager

shall provide any appropriate comments to the Commission regarding an application or amendment to an application for a state franchise.

(2) Unless otherwise specified in this section, all notices or other documentation that a state franchise holder is required to provide to the City under this Section or the California Public Utilities Code shall be provided to both the City Manager and the City staff person in charge of cable and telecommunications, or their successors or designees.

Section 5.71.090 Existing Franchise(s)

The City will retain authority, without change, over the City's current cable franchisee until such time as it no longer holds a City franchise, or is no longer operating under a current or expired City franchise.

SECTION 3. CEQA Exemption.

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, sections: 15060(c)(2), 15060(c)(3), 15061(b)(3), and 15273(a)(1)(2)(4).

The project is not subject to CEQA as the activity proposed in the project would not result in a direct or reasonably foreseeable indirect physical change in the environment; the activity is not considered a project as defined in Section 15378; and the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect. CEQA does not apply to the establishment of a fee.

SECTION 4. Severability.

If any sentence, clause or phrase of this section is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this section. The City Council hereby declares that it would have passed this ordinance and adopted this section and each sentence, clause or phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

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.

PASSED, APPROVED AND ADOPTED on May 14, 2018, by the following vote:

AYES: COUNCILMEMBER(S): Carty, Clark, Nomura, Stein, Shaw

NOES: COUNCILMEMBER(S): None

ABSENT: COUNCILMEMBER(S): None



Mayor, City of Carpinteria

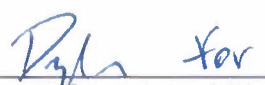
ATTEST:


for 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 May 14, 2018.


for City Clerk, City of Carpinteria

APPROVED AS TO FORM:



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



City of Carpinteria

COUNCIL AGENDA STAFF REPORT February 12, 2024

ITEM FOR COUNCIL CONSIDERATION

Continuation of Public Hearing for Approval of the Measure A Five-Year Local Program of Projects for Fiscal Years 2024-25 through 2028-29.

STAFF RECOMMENDATION

Open the public hearing, receive public comment, keep public hearing open, and continue the public hearing for approval of the Measure A Five-Year Local Program of Projects for Fiscal Years 2024-25 through 2028-29 to the March 11, 2024 Council meeting.

Sample Motion: I move to continue the public hearing for approval of the Measure A Five-Year Local Program of Projects for Fiscal Years 2024-25 through 2028-29 to the March 11, 2024 Council meeting.

BACKGROUND/DISCUSSION

In 1989, voters in Santa Barbara County approved Measure D for a one-half percent sales tax to be used for transportation programs and projects. In November 2008, voters in Santa Barbara County approved Measure A that extended the one-half percent sales tax for 30 years. Measure A contains a strategic spending plan that includes regional projects as well as local programs and projects funded by monthly allocations to each local agency. Measure A requires each local agency to annually prepare a Measure A Five-Year Local Program of Projects for submittal to the Santa Barbara County Association of Governments (SBCAG). Adoption of the Measure A Program of Projects at a noticed public hearing is a requirement of Measure A.

The public hearing notice for this agenda matter was published in the Coastal View News on February 1, 2024. Since the public hearing was noticed, but the Program of Projects is not ready at this time, staff requests the City Council open the public hearing tonight, receive any public comment, and keep the public hearing open and continue the matter to the regular Council meeting of March 11, 2024.

ATTACHMENTS

A: Measure A Local Program of Projects Submittal Form

Staff contact:

Stephon Downes, Management Analyst
(805) 755-4446; stephond@carpinteriaca.gov



Signature

Reviewed by:

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



Signature

Reviewed by: Michael Ramirez, City Manager
(805) 755-4450, michaelr@carpinteriaca.gov

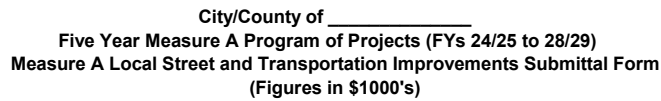


Signature

ATTACHMENT A

Measure A Local Program of Projects Submittal Form

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Alternative Transportation Summary		
TOTAL MEASURE A ALLOCATION (FY 2023/24 TO 2027/28)		\$0
MINIMUM ALTERNATIVE PERCENTAGE PRESCRIBED BY INVESTMENT PLAN TO BE MET BY FY 2024/25 FOR FISCAL YEARS 2020/21 THROUGH 2024/25	Enter Percentage	
TOTAL MEASURE A ALLOCATION TO ALTERNATIVE TRANSPORTATION	\$0	\$0
PERCENTAGE OF MEASURE A ALLOCATION TO ALTERNATIVE TRANSPORTATION		Enter Percentage



City of Carpinteria

COUNCIL AGENDA STAFF REPORT February 12, 2024

ITEM FOR COUNCIL CONSIDERATION

Approval and adoption of Resolution No. 6290, establishing Renter Relocation Assistance Payment amounts for No-Fault Just Cause Evictions pursuant to Carpinteria Municipal Code (CMC) Chapter 7.04.

STAFF RECOMMENDATION

Adopt Resolution No. 6290 ([Attachment A](#)), establishing Renter Relocation Assistance Payment amounts for No-Fault Just Cause Evictions pursuant to Carpinteria Municipal Code Chapter 7.04.

Sample Motion: I move to approve and adopt Resolution No. 6290, establishing Renter Relocation Assistance Payment amounts for No-Fault Just Cause Evictions pursuant to Carpinteria Municipal Code Chapter 7.04.

BACKGROUND

On May 8, 2023, City Council directed Staff to amend the Carpinteria Local Coastal Program (LCP) and the CMC to implement “anti-displacement” housing policies, spurred by the ongoing pressures of high home prices, low housing inventory, and rising rent on Carpinteria residents. One item discussed under the anti-displacement policies was a Just-Cause Eviction Ordinance, to enact stronger tenant protections than those established in State law for the termination of residential tenancies. Recent headlines highlighting mass termination of tenancies at apartment complexes, comprising of hundreds of units each, within Santa Barbara County and Los Angeles, have drawn attention to an urgent need to protect tenants at a time of scarce rental inventory and low vacancy rates.

Accordingly, staff prepared a proposed Just-Cause Eviction Ordinance, and returned to the City Council on September 11, 2023, wherein the City Council adopted Urgency Ordinance No. 770, adding Chapter 7.04 (“Just Cause for Termination of Residential Tenancy”) to a new Title 7 (“Housing Regulations”) of the Carpinteria Municipal Code

(CMC).¹ The adopted Just-Cause Eviction Ordinance establishes the grounds for residential evictions and institutes heightened protections for those who are evicted for a defined “no fault” reason, including specified noticing and a right to relocation assistance payments. These “no fault” reasons include that the owner seeks to:

- Recover possession of the rental unit for use and occupancy by the owner, or their spouse, domestic partner, children, grandchildren, parents, or grandparents.
- Permanently withdraw the rental unit from the rental market in accordance with applicable state law.
- Comply with an order issued by a government agency, court, or local ordinance to vacate the unit.
- Demolish or substantially remodel the rental unit.

Urgency Ordinance No. 770 is provided as Attachment B. Section 7.04.050(A) states that the relocation assistance payment shall be “an amount established by resolution of the City Council, or one month’s rent that was in effect when the owner issued the notice to terminate tenancy plus one dollar, whichever is greater.” The purpose of Resolution 6290 is for City Council to set a relocation assistance payment amount that adequately supports renters experiencing no-fault just cause evictions.

DISCUSSION

State law allows local jurisdictions to adopt ordinances relating to no-fault evictions that are more protective of tenants than the baseline set by the State (Civil Code Sec. 1946.2). In the case of relocation assistance payments, this means a local ordinance may require payments greater than the amount of one month of rent in effect at the time an eviction notice is served. Resolution 6290 proposes a more protective payment amount, set at two months of rent or \$6,500, whichever is greater.

Staff determined that a payment equal to two month’s rent in effect at the time of an eviction notice or \$6,500, whichever is greater, is appropriate for the City based on several factors. Staff first surveyed nearby jurisdictions which have established their own respective relocation assistance payments more protective than State law to identify a range of approaches to relocation assistance. A summary is provided below in Table 1. The cities of Ojai and Oxnard, and the County of Santa Barbara included a provision such that a tenant is granted a relocation assistance payment equal to X month’s rent at the time of eviction notice, or a set quantity, whichever is greater. This approach helps ensure that tenants paying under market value for rent at the time of a just-cause no fault eviction are granted a relocation payment quantity that could realistically aid them in securing a new rental unit in the same area, which is likely to be at a higher rental rate.

¹ The Staff Report for Ordinance No. 770 is available at https://carpinteria.granicus.com/MetaViewer.php?view_id=2&clip_id=1309&meta_id=84392

Table 1: Summary of Other Jurisdictions' Rental Relocation Assistance

Jurisdiction	Qualified tenant	Assistance based on	Assistance quantity	Minimum amount
City of Santa Barbara	12 months	Rent at time of termination	3 months' rent	n/a
County of Santa Barbara	12 months	Fair market rent, per HUD	3 months' rent	\$7000
City of Ojai	30 days (At least one tenant in the unit)	Rent at time of termination	2 months' rent	\$5,000
City of Oxnard	30 days	Rent at time of termination	2 months' rent	\$5,000
City of Ventura	"Tenancy" means the right to lawfully occupy residential real property and includes a lease or sublease."	Rent at time of termination	2 months' rent	n/a
City of Mountain View	"any person entitled under the terms of a rental housing agreement to the use or occupancy of any rental unit."	Median monthly rent for same sized apt, determined by yearly city survey	3 months' rent	n/a
City of Carpinteria (Proposed)	12 months	Rent at time of termination	2 months' rent	\$6,500

Furthermore, while State law requires a no-fault just cause relocation assistance payment of a minimum of one month's rent, this amount likely would not cover the costs associated with searching for new housing and moving. Possible expenses include rental application fees, storage costs, first/last month's rent and/or security deposit due upon lease signing, and other items. Senior citizens, people with disabilities, and families face further difficulties and incur more expenses due to a range of factors, including an inability to self-provide relocation services. A payment equal to two month's rent or a minimum of \$6,500 is aimed at achieving a balance between the interests of displaced renters who may need stronger assistance at a time when the rental availability—especially of units for low and moderate income groups—is extremely low, with those of landlords, who should not be overburdened by the payment amount and discouraged to evict where there is a true need to clear their unit.

The U.S. Department of Housing and Urban Development (HUD) calculates a Small Area Fair Market Rent for rental units each year, based on an estimate of 40th percentile one- and two-bedroom gross rents in metropolitan areas. The 2024 Small Area Fair Market Rent for a one-bedroom unit in the 93013 zip code is \$3,080, and \$3,480 for a two-bedroom unit. A minimum relocation assistance payment amount of \$6,500 falls within the range of two months' rent for these two unit sizes, providing a reasonable minimum level of assistance that is both helpful to the renter and not overly burdensome on the rental unit owner. In the case of larger rental units; the two months' rent would likely result in a relocation assistance payment greater than the proposed \$6,500 minimum.

Urgency Ordinance 770 allows for the relocation assistance payment amount to be set by City Council through Resolution, so as housing and rental conditions fluctuate over time, this minimum payment amount can be readdressed or updated through adoption of a new Resolution. It is staff's intention to annually (in January) bring back for the Council's consideration an updated relocation assistance figure, based on HUD's published Small Area Fair Market Rents or similar guidance. The adopted relocation assistance payment amount will be posted annually to the City's website.²

POLICY CONSIDERATIONS

Anti-displacement policies, including relocation assistance payments, are consistent with programs in the City's 2023-2031 Housing Element, including:

- Program 1 (Adequate Sites to Accommodate Regional Housing Needs)
- Program 5 (Affordable Rental Housing Development Assistance)
- Program 17 (Affirmatively Furthering Fair Housing)

Program 17 contains sub-programs on homelessness and fair housing education. Relocation assistance can reduce barriers to finding new housing when a tenant is faced with no-fault eviction, with the goal of preventing evicted tenants from becoming homeless.

COMPLIANCE WITH CEQA

Adoption of Resolution 6290 is exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to the "common sense exemption" (Cal. Code Regs., Tit. 14, Sec. 15061(c)(3)). It can be seen with certainty that there is no possibility that the adoption of a payment amount for relocation assistance may have a significant effect on the environment because it does not approve any development project or other physical change to the environment. Rather, the action generally establishes financial requirements among individuals and thus has no potential to result in physical change in the environment, either directly or indirectly. Accordingly, adoption of Resolution 6290 is exempt from CEQA pursuant to the common sense exemption.

FINANCIAL CONSIDERATIONS

Setting a relocation assistance payment amount is not expected to result in any new staff or contract/consultant costs to the City. The City currently contracts with the City of Santa Barbara Rental Housing Mediation Program (RHMP) staff to provide dispute resolution services to Carpinteria tenants and landlords, including information on rights and responsibilities of landlords and tenants as a method of resolving disputes out of

² The adopted relocation assistance payment amount will be posted to the Community Development Department's housing webpage here: <https://carpinteriaca.gov/city-hall/community-development/housing/>

court. The information related to this Resolution would be shared with RHMP staff to be covered as part of their already-contracted services.

Urgency Ordinance No. 770 includes, under available remedies, the option for the City Attorney to enforce this Ordinance, including but not limited to, payment of any required relocation assistance, through administrative, civil or criminal action. In the event of such action by the City Attorney, additional costs to the City could be incurred; however, the City Attorney would seek recovery of costs, expenses and attorney's fees as allowed by law as part of any legal action.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

It is a well-established legal principle that a public agency's police power has broad application to protect the public health, safety, and welfare of its residents which has been interpreted to include regulations similar to those outlined in this report. The City Attorney has reviewed this Staff Report and will be available to answer questions at the meeting.

OPTIONS

1. Approve and adopt Resolution 6290, establishing Renter Relocation Assistance Payment amounts for No-Fault Just Cause Evictions pursuant to Carpinteria Municipal Code Chapter 7.04.
2. Decline to approve the resolution and direct staff not to pursue Renter Relocation Assistance Payment amounts beyond those already established.
3. Direct staff to return to a future meeting with a different Renter Relocation Assistance Payment amount.

PRINCIPAL PARTIES EXPECTED AT MEETING

Potentially affected tenants
Tenants' rights advocacy organizations
Potentially affected residential landlords/property managers

ATTACHMENTS

Attachment A: Resolution No. 6290
Attachment B: Urgency Ordinance No. 770

Staff contact: Mindy Fogg, Principal Planner
Community Development
(805) 755-4408 / mindyf@carpinteriaca.gov



Signature

Reviewed by: Nick Bobroff, Director

Community Development
(805) 755-4407 / nickb@carpinteriaca.gov

Reviewed by: Michael Ramirez, City Manager
(805) 755-4450 / michaelr@carpinteriaca.gov



Signature



Signature

Attachment A.

Proposed Resolution No. 6290 “Renter Relocation Assistance Payment”

City Council Meeting
February 12, 2024

RESOLUTION NO. 6290

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA ESTABLISHING RENTER RELOCATION ASSISTANCE PAYMENT AMOUNTS FOR NO-FAULT JUST CAUSE EVICTIONS

WHEREAS, as reported in the 2023 Carpinteria Valley Economic Profile, apartments and mobile homes represent 53 percent of the City's total housing stock and there are very few housing units available for rent within the City; and

WHEREAS, in the greater South Coast of Santa Barbara County, the vacancy rate is less than 3%;¹ and

WHEREAS, there is a housing shortage in the City, particularly for middle-, moderate-, low-, and very low-income households; and

WHEREAS, low-income residents are most at risk of displacement from rental housing as a result of rapidly rising rents, are more likely to have challenges staying in their homes if they are living paycheck-to-paycheck, and are vulnerable to just cause evictions; and

WHEREAS, eviction and subsequent relocation creates particular hardships for individuals with limited means, given the shortage of local affordable rental housing options; and

WHEREAS, housing costs in the City have risen substantially in recent years, with the fair market rent for a one bedroom unit increasing 75 percent from 2018 to 2024 according to Small Area Fair Market Rent data published by the U.S. Department of Housing and Urban Development;² and

WHEREAS, on May 8, 2023, the City Council received a report on anti-displacement regulatory options for potential inclusion in the Carpinteria Municipal Code ("CMC") and adopted Resolution No. 6235 initiating amendments to the City's Local Coastal Program and CMC related to various anti-displacement measures, including but not limited to, a just cause eviction ordinance; and

WHEREAS, on September 11, 2023, the City Council adopted Urgency Ordinance No. 770 related to Just Cause for Termination of Residential Tenancy; and

WHEREAS, on January 23, 2024, the City Council submitted the City's 6th Cycle 2023 - 2031 Housing Element ("Housing Element") to the State Department of Housing & Community Development (HCD), which contains a number of anti-displacement policies that support adoption of the relocation amount proposed in this Resolution,

¹ Source: Santa Barbara South Coast Chamber of Commerce (Dashboard April 2023) at <https://sbsscchamber.com/wp-content/uploads/2023/05/Data-Dashboard-April-2023.pdf>

² Source: U.S. Housing and Urban Development at <https://www.huduser.gov/portal/datasets/fmr/smallarea/index.html#year2024>

including Program 1 (Adequate Sites to Accommodate Regional Housing Needs), Program 5 (Affordable Rental Housing Development Assistance), and Program 17 (Affirmatively Furthering Fair Housing); and

WHEREAS, pursuant to Ordinance No. 770, tenants served “no fault” evictions are currently entitled to only one month’s rent plus one dollar of relocation assistance from their rental unit owners (unless a different amount is established by the City Council via resolution); and

WHEREAS, one month’s rent plus one dollar of relocation assistance are unlikely to adequately cover relocation expenses, which typically include first months’ rent, last months’ rent, security deposit, application fees, logistical moving and packing costs, and temporary storage; and

WHEREAS, the City Council desires to strengthen relocation assistance to reflect the realities of the current rental market and to provide stronger tenant protections to protect renters from displacement and homelessness, and to promote housing and neighborhood stability; and

WHEREAS, the protection of the City’s long-term residents is important to maintain local workforce supporting the City’s economy, including its tourism, hospitality and agricultural industries; and

WHEREAS, the fair market rent in the 93013 zip code for a one (1) bedroom unit is \$3,080 and \$3,480 for a two (2) bedroom unit, according to the 2024 Small Area Fair Market Rents published by the U.S. Department of Housing and Urban Development; and

WHEREAS, a minimum payment equal to two (2) months’ rent in effect at the time of an eviction notice or \$6,500, whichever is greater, is considered to be a reasonable level of relocation assistance that would be helpful to the renter while not overly burdensome on the rental unit owner, as \$6,500 is approximately the median between the published fair market rent for one (1) bedroom units and two (2) bedroom units in our local area for a two (2) month period, and a minimum payment amount of two months’ rent or \$6,500, whichever is greater, is in line with amounts set by surrounding jurisdictions.

NOW, THEREFORE, BE IT RESOLVED as follows:

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

SECTION 2. The Carpinteria City Council hereby resolves that the relocation assistance payment required under the Carpinteria Municipal Code Section 7.04.050.A shall be an amount equal to two months of the rent that was in effect when the owner issued the notice to terminate the tenancy or \$6,500, whichever is greater. The City

Council also endeavors to review this amount to ensure that it remains sufficient on at least an annual basis.

SECTION 3. Adoption of this resolution is exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to the "common sense exemption" (Cal. Code Regs., Tit. 14, Sec. 15061(c)(3)). It can be seen with certainty that there is no possibility that the adoption of a payment amount for relocation assistance may have a significant effect on the environment because it does not approve any development project or other physical change to the environment. Rather, the action generally establishes financial requirements among individuals and thus has no potential to result in physical change in the environment, either directly or indirectly. Accordingly, adoption of Resolution 6290 is exempt from CEQA pursuant to the common sense exemption.

PASSED, APPROVED AND ADOPTED this 12th day of February 2024 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 February 12, 2024.

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.

Urgency Ordinance No. 770

Adopted on September 11, 2023

City Council Meeting
February 12, 2024

ORDINANCE NO. 770

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA, ADDING CHAPTER 7.04 ("JUST CAUSE FOR TERMINATION OF RESIDENTIAL TENANCY") TO A NEW TITLE 7 ("HOUSING REGULATIONS") OF THE CARPINTERIA MUNICIPAL CODE

WHEREAS, pursuant to the City of Carpinteria's ("City") police power, as granted broadly under Article XI, Section 7 of the California Constitution, the City Council has the authority to enact and enforce ordinances and regulations for public health, safety, and welfare; and

WHEREAS, there is a housing shortage in the City and the greater South Coast of Santa Barbara County, particularly for middle-, moderate-, low-, and very low-income households, with respective vacancy rates of 3% and less than 3%;¹ and

WHEREAS, since April 2020, apartment rents in the City have risen 30%;² and

WHEREAS, because housing, particularly affordable housing, is difficult to procure in the City, evictions without just cause can destabilize the housing market and result in the loss of affordable housing; and

WHEREAS, housing instability threatens the public peace, health and safety as eviction can undermine the housing market by increasing residential mobility and the loss of affordable housing; increase the risk of prolonged homelessness; displace members of the community; strain household finances due to rental deposits; increase commute times and create traffic impacts if tenants cannot find local housing of comparable affordability; and disrupt the education of impacted children; and

WHEREAS, eviction creates particular hardships for individuals with limited means, given the shortage of local affordable rental housing options; and

WHEREAS, recent high profile headlines highlighting mass termination of tenancies at apartment complexes, comprising of hundreds of units each, in Isla Vista within Santa Barbara County and Los Angeles have drawn attention to an urgent need to protect tenants at a time of scarce rental inventory and low vacancy rates in the City and County; and

¹ Source: 2020 census data that reports 191 rental housing units were vacant, which equates ~3% of the City's estimated housing units in the City. See also Santa Barbara South Coast Chamber of Commerce (Dashboard April 2023) at <https://sbscchamber.com/wp-content/uploads/2023/05/Data-Dashboard-April-2023.pdf>

² California Economic Forecast, The 2023 Carpinteria Valley Economic Profile (September 2023), pg. 21. 25666944.11

WHEREAS, City staff have received anonymous inquiries regarding City regulations surrounding remodels and upgrades to multi-unit rental properties that may permanently displace residential tenants within the City; and

WHEREAS, on May 8, 2023, the City Council received a report on anti-displacement regulatory options for potential inclusion in the Carpinteria Municipal Code ("CMC") and adopted Resolution No. 6235 initiating amendments to the City's Local Coastal Program and CMC related to such measures; and

WHEREAS, a just cause for termination of residential tenancy ordinance amending the CMC was one such measure identified in Resolution No. 6235;

WHEREAS, the Tenant Protection Act of 2019 (Assembly Bill ["AB"] 1482) established statewide just cause eviction protections and rent stabilization for residential tenants, but also authorized cities to enact more protective local regulations that supersede state law; and

WHEREAS, the City wishes to provide stronger tenant protections citywide than what is provided in state law, including AB 1482, and enact local regulations to protect renters from displacement and homelessness and to promote housing and neighborhood stability; and

WHEREAS, City regulations are intended to provide additional tenant protections beyond state law requirement by making permanent the temporary protections provided under AB 1482, which would otherwise sunset in 2030; and

WHEREAS, absent City regulations, owners may terminate the tenancy of residential tenants under state law, including AB 1482, without oversight by the City; and

WHEREAS, City regulations enacted by this Ordinance are more protective than the provisions of AB 1482 because the City regulations provide additional tenant protections and specific requirements for the exercise of no-fault just cause terminations of residential tenancies; and

WHEREAS, the City Council finds and determines that regulating the relationship between residential landlords and tenants will increase certainty and fairness in the residential rental market, and be consistent with the stricter tenant protections that exist in neighboring localities;

WHEREAS, said tenant protective measures are in line with the City's General Plan policies that support affordable housing, including, but not limited to, Program 1 (Adequate Sites to Accommodate Regional Housing Needs), Program 5 (Affordable Rental Housing Development Assistance), and Program 17 (Affirmatively Furthering Fair Housing) in the City's recently adopted Housing Element; and,

WHEREAS, said tenant protective measures are also consistent with existing City regulations aimed at preserving rental stock and affordable housing, such as CMC Chapter 14.74, which limits the conversions of rental apartments into condominiums,

Chapters 5.75 and 5.76, enacting procedures for the closure of mobilehome parks and notification to mobilehome tenants about the City's rent stabilization program, and Chapters 14.47 and 14.52, which regulate short term rentals and homestays to prevent the proliferation of short term rentals that would displace longer term rental arrangements.

NOW THEREFORE, THE CITY COUNCIL HERBY ORDAINS AS FOLLOWS:

SECTION 1. Recitals Incorporated. The above recitals are incorporated herein and are each relied upon independently by the City Council in its adoption of this Ordinance.

SECTION 2. Declaration of Urgency. Based on the findings contained in the foregoing recitals, which are deemed true and correct, this ordinance is urgently needed for the preservation of the public peace, health or safety. This Urgency Ordinance shall take effect immediately upon adoption in accordance with the provisions set forth in Government Code section 36937.

SECTION 3. Amendment of the CMC. Chapter 7.04 ("Just Cause for Residential Evictions") is hereby added to a new Title 7 ("Housing Regulations") of the Carpinteria Municipal Code to read as follows:

"TITLE 7 –HOUSING REGULATIONS

Chapter 7.04 - JUST CAUSE FOR TERMINATION OF RESIDENTIAL TENANCY

7.04.010 – Purpose.

Housing instability can lead to increased residential mobility and commute times, loss of community, interrupted education of children, financial strain and prolonged homelessness. New rental housing, particularly affordable housing, is difficult to procure not only in the City but the broader South Coast of Santa Barbara County. The purpose of this ordinance is to enact stronger tenant protections than those established in state law for the termination of residential tenancies. Regulating relations between residential landlord and tenants is intended to increase certainty and fairness within the residential rental market in the City and thereby serve the public health, safety and welfare.

7.04.020 – Applicability.

This Chapter applies to all rental units except:

- A. Transient and tourist hotel occupancy as defined in Civil Code Section 1940(b).
- B. Housing accommodations in a nonprofit hospital, religious facility, extended care facility, licensed residential care facility for the elderly, as defined in Section 1569.2 of the Health and Safety Code, or an adult residential facility, as defined in Chapter 6 of Division 6 of Title 22 of the Manual of Policies and Procedures published by the State Department of Social Services.

- C. Dormitories owned and operated by an institution of higher education or a kindergarten and grades 1 to 12, inclusive, school.
- D. Housing accommodations in which the tenant shares bathroom or kitchen facilities with the owner who maintains their principal residence at the rental unit.
- E. Single-family owner-occupied residences, including both of the following: a residence in which the owner-occupant rents or leases no more than two units or bedrooms, including, but not limited to, an accessory dwelling unit or a junior accessory dwelling unit; or a mobilehome.
- F. A property containing two separate dwelling units within a single structure in which the owner occupied one of the units as the owner's principal place of residence at the beginning of the tenancy, so long as the owner continues in occupancy, and neither unit is an accessory dwelling unit or a junior accessory dwelling unit.
- G. Housing that has been issued a certificate of occupancy within the previous 15 years, unless the housing is a mobilehome.
- H. Rental unit, including a mobilehome, that is alienable separate from the title to any other dwelling unit, provided that both of the following apply:

1. The owner is not any of the following:

- (i) A real estate investment trust, as defined in Section 856 of the Internal Revenue Code.
- (ii) A corporation.
- (iii) A limited liability company in which at least one member is a corporation.
- (iv) Management of a mobilehome park, as defined in Civil Code 798.2.

2.

- (i) The tenants have been provided written notice that the residential property is exempt from this section using the following statement:

"This property is not subject to the rent limits imposed by Section 1947.12 of the Civil Code and is not subject to the just cause requirements of Section 1946.2 of the Civil Code. This property meets the requirements of Sections 1947.12(d)(5) and 1946.2(e)(8) of the Civil Code and the owner is not any of the following: (1) a real estate investment trust, as defined by Section 856 of the Internal Revenue Code; (2) a corporation; or (3) a limited liability company in which at least one member is a corporation."

- (ii) For a tenancy existing before the effective date of this Chapter, the notice required under subsection H.2.i of this section may, but is not required to, be provided in the rental agreement.

- (iii) For any tenancy commenced or renewed on or after the effective date of this Chapter, the notice required under subsection H.2.i. must be provided in the rental agreement.
 - (iv) Addition of a provision containing the notice required under subsection H.2.i to any new or renewed rental agreement or fixed-term lease constitutes similar other terms for the purposes of Section 7.04.030.B.1.v.
- I. Housing restricted by deed, regulatory restriction contained in an agreement with a government agency, or other recorded document as affordable housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code, or subject to an agreement that provides housing subsidies for affordable housing for persons and families of very low, low, or moderate income, as defined in Section 50093 of the Health and Safety Code or comparable federal statutes.

7.04.030 – Definitions.

As used in this Chapter, the following terms have the meanings set forth in this Section:

- A. Early Tenant Alert Notice means the written notice of no-fault just cause termination of a tenancy of a qualified tenant described in section 7.04.060.B that is provided at least 60 days before the date of termination of tenancy.
- B. Just Cause. At-fault just cause and no-fault just cause, are defined as follows:

1. At-Fault Just Cause means any of the following:

- (i) Default in the payment of rent.
- (ii) A breach of a material term of the lease, as described in paragraph (3) of Section 1161 of the Code of Civil Procedure, including, but not limited to, violation of a provision of the lease after being issued a written notice to correct the violation.
- (iii) Maintaining, committing, or permitting the maintenance or commission of a nuisance as described in paragraph (4) of Section 1161 of the Code of Civil Procedure.
- (iv) Committing waste as described in paragraph (4) of Section 1161 of the Code of Civil Procedure.
- (v) The tenant had a written lease that terminated on or after January 1, 2020, or January 1, 2022, if the lease is for a tenancy in a mobilehome, and after a written request or demand from the owner, the tenant has refused to execute a written extension or renewal of the lease for an additional term of similar duration with similar provisions, provided that

those terms do not violate this section or any other provision of law.

- (vi) Criminal activity by the tenant on the rental unit, including any common areas, or any criminal activity or criminal threat, as defined in subdivision (a) of Section 422 of the Penal Code, on or off the rental unit, that is directed at any owner or agent of the owner of the rental unit; provided that criminal activity or criminal threat directed at a tenant who is a victim of domestic violence shall not be the basis for at-fault or no-fault just cause eviction of the tenant who is a victim of domestic violence.
- (vii) Assigning or subletting the premises in violation of the tenant's lease, as described in paragraph (4) of Section 1161 of the Code of Civil Procedure.
- (vii) The tenant's refusal to allow the owner to enter the rental unit as authorized by Sections 1101.5 and 1954 of the Civil Code, and Sections 13113.7 and 17926.1 of the Health and Safety Code.
- (viii) Using the premises for an unlawful purpose as described in paragraph (4) of Section 1161 of the Code of Civil Procedure.
- (ix) The employee, agent, or licensee's failure to vacate after their termination as an employee, agent, or a licensee as described in paragraph (1) of Section 1161 of the Code of Civil Procedure.
- (x) When the tenant fails to deliver possession of the rental unit after providing the owner written notice as provided in Civil Code Section 1946 of the tenant's intention to terminate the hiring of the real property, or makes a written offer to surrender that is accepted in writing by the owner, but fails to deliver possession at the time specified in that written notice as described in paragraph (5) of Section 1161 of the Code of Civil Procedure.

2. No-Fault Just Cause means any of the following:

- (i) The owner seeks in good faith to recover possession of the rental unit for use and occupancy by the owner or their spouse, domestic partner, children, grandchildren, parents, or grandparents. For leases entered into on or after July 1, 2020, or July 1, 2022, if the lease is for a tenancy in a mobilehome, clause (i) shall apply only if the tenant agrees, in writing, to the termination, or if a provision of the lease allows the owner to terminate the lease if the owner, or their spouse, domestic partner, children, grandchildren, parents, or grandparents, unilaterally decides to occupy the rental unit.

- (ii) The owner seeks in good faith to recover possession to permanently withdraw the rental unit from the rental market in accordance with applicable state law.
 - (iii) The owner seeks in good faith to comply with any of the following:
 - a. An order issued by a government agency or court relating to habitability that necessitates vacating the rental unit.
 - b. An order issued by a government agency or court to vacate the rental unit.
 - c. A local ordinance that expressly requires vacating the rental unit.
 - (iv) The owner seeks in good faith to recover possession to totally demolish or to substantially remodel the rental unit, provided the owner has done all of the following:
 - a. Given the tenants an early tenant alert notice advising the tenants of the owner's intent to terminate the tenancy in reliance on this subsection.
 - b. Obtained all permits necessary to carry out the demolition or substantial remodel from applicable governmental agencies.
 - c. Served the tenants with a copy of the permits along with a written notice stating the reason for the termination, the type and scope of work to be performed, why the work cannot be reasonably accomplished in a safe manner with the tenant in place, and why the work requires the tenant to vacate the rental unit for at least 30 days. The copy and notice shall be contained in or served concurrently with the notice to terminate tenancy required by Section 7.04.060.
 - d. Filed with the Community Development Department, a copy of the documents served on the tenant.
- C. Owner means an owner as defined in Civil Code Section 1954.51.
- D. Qualified Tenant means a tenant who has continuously and lawfully occupied a rental unit for 12 months or who otherwise qualifies as a tenant meriting just cause eviction protection under Civil Code Section 1946.2, Subdivision (a).
- E. Relocation Assistance Payment means the amount established by resolution of the City Council, or one month's rent that was in effect when the owner issued the notice to terminate tenancy plus one dollar, whichever is greater, that is due to qualified tenants in a no-fault just cause eviction action. See Sections 7.04.050 and 7.04.070.
- F. Rent means the total consideration charged or received by an owner in exchange for the use or occupancy of a rental unit.

- G. Rental Unit means any unit in any real property, regardless of zoning status, including the land appurtenant thereto, that is rented or available for rent for residential use or occupancy (regardless of whether the unit is also used for other purposes) except as provided in Section 7.04.020.
- H. Substantially Remodel means the replacement or substantial modification of any structural, electrical, plumbing, or mechanical system that requires a permit from a governmental agency, or the abatement of hazardous materials, including lead-based paint, mold, or asbestos, in accordance with applicable Federal, State, and local laws, that cannot be reasonably accomplished in a safe manner with the tenant in place and that requires the tenant to vacate the rental unit for at least 30 days. Substantial remodeling does not include cosmetic improvements, including painting, decorating, minor repairs, routine maintenance, or other work that can be performed safely without having the rental unit vacated .
- I. Tenant. Any renter, tenant, subtenant, lessee, or sublessee, or person entitled by written or oral agreement to occupy a rental unit, or any successor of any of the foregoing."
- J. Termination of Residential Tenancy means for purposes of this Chapter only, a termination of residential tenancy either with at-fault or no-fault just cause. The term is generally synonymous with eviction."

7.04.040 - Just cause for termination of residential tenancy.

- A. The owner of a rental unit shall not engage in a termination of residential tenancy of a qualified tenant without just cause stated in full in the notice to terminate tenancy.
- B. Just cause includes at-fault just cause or no-fault just cause as defined in Section 7.04.030.

7.04.050 - Relocation assistance payments for no-fault just cause termination of residential tenancy.

- A. The owner of a rental unit who issues a notice to terminate tenancy based upon no-fault just cause shall make a relocation assistance payment to each qualified tenant in an amount established by resolution of the City Council, or one month's rent that was in effect when the owner issued the notice to terminate tenancy plus one dollar, whichever is greater.
- B. When more than one qualified tenant occupies a rental unit, the owner shall divide the relocation assistance payment equally among the qualified tenants and make the divided relocation assistance payment to each qualified tenant.
- C. Any relocation assistance or rent waiver required by State law shall be credited against the relocation assistance payment required by this chapter, but only to the extent such credit is required by State law.

7.04.060 - Just cause termination of residential tenancy notice requirements.

- A. The written notice to terminate tenancy shall state in full the facts and circumstances constituting the at-fault just cause or no-fault just cause for termination.
- B. A written notice to terminate tenancy based upon no-fault just cause must be provided at least 60 days before the date of termination through an early tenant alert notice and must inform each qualified tenant of their right to and the amount of a relocation assistance payment required by this Chapter.
- C. Before the owner of a rental unit issues a notice to terminate a tenancy for just cause that is a curable lease violation, the owner shall first give notice of the violation to each qualified tenant with an opportunity to cure the violation pursuant to paragraph (3) of Section 1161 of the Code of Civil Procedure. If the violation is not cured within the time period set forth in the notice, a three-day notice to quit without an opportunity to cure may thereafter be served to terminate the tenancy.

7.04.070 - Relocation assistance payment requirements.

- A. The owner of a rental unit who issues a notice to terminate tenancy based upon no-fault just cause shall make the relocation assistance payment required by this Chapter to each qualified tenant within 15 calendar days after service of the notice.
- B. The owner of a rental unit who issues an early tenant alert notice may elect to make one-half of the relocation assistance payment required by this Chapter to each qualified tenant within 15 calendar days after service of said notice, and the remaining one-half of the relocation assistance payment to each qualified tenant no later than the time that qualified tenant surrenders possession of the rental unit.
- C. If a qualified tenant fails to vacate after the expiration of the notice to terminate tenancy, the actual amount of any relocation assistance paid to the qualified tenant shall be recoverable as damages from that qualified tenant.
- D. A qualified tenant is not entitled to relocation assistance if any government agency or court determines that the tenant is at-fault for the condition or conditions triggering an eviction order or need to vacate for reasons listed, but not limited to, those in Section 7.04.030.B.1.

7.04.080 - Remedies.

- A. Failure to provide each of the notices required by this chapter shall be a defense to any unlawful detainer action.
- B. Failure to include all required information in the notices required by this chapter shall be a defense to any unlawful detainer action.
- C. Failure to make a relocation assistance payment in a timely manner shall be a defense to any unlawful detainer action.
- D. Any violation of this chapter shall entitle the aggrieved tenant to actual damages according to proof and costs and attorney's fees.
- E. A tenant may seek injunctive relief on his or her own behalf and on behalf of other affected tenants to enjoin the owner's violation of this Chapter.

- F. Remedies provided in this section are in addition to any other existing legal remedies and not intended to be exclusive.
- G. The City Attorney is authorized to enforce this Chapter through administrative, civil, or criminal action. The City Attorney is further authorized to bring actions for injunctive relief on behalf of the City. The City Attorney shall seek recovery of costs, expenses, and attorney's fees as allowed by law.

SECTION 4. Effective Date and Termination. This Urgency Ordinance shall become effective immediately pursuant to Government Code Section 36937 and shall continue until it is terminated by the City Council.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Urgency Ordinance. The City Council hereby declares that it would have passed this Urgency Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 6. CEQA Exemption. The City Council finds that this Urgency Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Title 14 of the California Code of Regulations, CEQA Guidelines sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a "project" as defined in section 153 78). This Urgency Ordinance has no potential for resulting in physical change to the environment, either directly or indirectly, in that it merely regulate existing physical development.

PASSED, APPROVED, AND ADOPTED this 11th day of September, 2023, by the following vote:

AYES: COUNCILMEMBERS: Lee, Nomura, Solorzano, Alarcon, Clark

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None



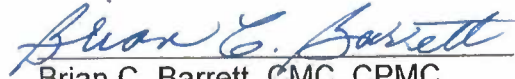
Mayor, City of Carpinteria

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 this 11th day of September, 2023.


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

APPROVED AS TO FORM:


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



City of Carpinteria

COUNCIL AGENDA STAFF REPORT February 12, 2024

ITEM FOR COUNCIL CONSIDERATION

Approval of standardized design for single-use dog parks within the City of Carpinteria (City), including at Monte Vista Park,¹ and associated budget appropriation.

STAFF RECOMMENDATION

Approval of a (1) standardized design for single-use dog parks within the City including for the Monte Vista Pilot Project, and (2) a budget appropriation of \$12,000 from the General Fund Reserve to the Park Maintenance Fund for construction of the Monte Vista Pilot Project.

Sample Motion: I move to:

1. Approve standardized design for future single-use dog parks, including the design for the Monte Vista Pilot Project.
2. Authorize a budget appropriation of \$12,000 from the General Fund Reserve to the Park Maintenance Fund for construction of the Monte Vista Pilot Project.

BACKGROUND

Carpinteria Dog Owners Group (CDOG) is a local community organization that advocates for the establishment of dog parks and off-leash areas in the City. CDOG contacted City Council and City Staff in September 2018, asking that the City take action to create an off-leash dog park within the City. In response, the City Council heard a presentation on September 10, 2018 from the Parks, Recreation, and Community Services Department (PRCS) that identified potential options for an off-

¹ On November 6, 2023, the Planning Commission approved a Temporary Use Permit (TUP) for an off-leash dog park pilot project at Monte Vista Park (Monte Vista Pilot Project). (See https://carpinteria.granicus.com/GeneratedAgendaViewer.php?view_id=2&clip_id=1341.)

leash dog park in the City. At the time, the Carpinteria Municipal Code (CMC) provided no allowances for off-leash areas. In response to the presentation, the City Council authorized staff to pursue amending the CMC to allow for off-leash opportunities and to prepare an off-leash dog park feasibility study.

The establishment of off-leash dog areas was included as a PRCS work item in the 2019 Annual Work Plan, and has been included in all subsequent years' work plans. On March 11, 2019, PRCS presented a dog park feasibility study ("Study"), which offered several options including a shared use park, which allowed for off-leash areas in certain areas of an existing park, and a dedicated dog park, in which no other park use is accommodated. The Study is included as Attachment A. The City Council directed staff to consider off-leash areas at El Carro Park, Monte Vista Park, and Lagunitas open space (acquired by the City in July 2019).

On November 12, 2019, the City Council approved a first reading of Ordinance No. 733, which added provisions to the CMC for off-leash dog areas. On November 25, 2019, the Council voted to appropriate \$30,000 to fund professional design and engineering services for off-leash dog areas from the Park Improvement Fund, and also approved a second reading of Ordinance No. 733. The Ordinance went into effect December 26, 2019, and is included as Attachment B.

At the September 14, 2020 City Council Meeting, PRCS presented designs for fenced off-leash dog areas at Lagunitas open space, El Carro Park, and Monte Vista Park. Before moving forward with a permanent project, the City Council voted to conduct a one-year pilot program establishing a portion of El Carro Park (e.g., a portion of the large soccer field next to Girls Inc.) as an off-leash area for dogs during designated times of the day ("El Carro Pilot Project"). The adopted motion included a commitment to work with CDOG on hours of operation, and to include CDOG in future discussions of additional dog park locations. The topic was continued on September 28, 2020, and the City Council voted to adopt Resolution No. 6006, establishing the El Carro Pilot Project. The motion also appropriated \$12,500 from the Parks Improvement Fund to the Parks Maintenance Account to fund certain improvements in El Carro Park.

On October 11, 2021, the Council heard a status report on the El Carro Pilot Project nearly one year after it began. CDOG collected daily usage data during the first year of the pilot project and reported an average daily usage of 34 dogs, with a maximum of 56 dogs. While the off-leash area received a lot of community support from dog owners, concerns persisted from neighbors adjacent to El Carro Park regarding noise, dog waste left behind, and dog owners allowing dogs off-leash outside of the designated area and hours. After considering public testimony, the Council voted to continue the El Carro Pilot Project for another year to November 1, 2022. Also, the Council directed staff to research other locations for future pilot projects.

On January 23, 2023, the City Council received another status report on the El Carro Pilot Project. During this meeting, PRCS stated that even with combined efforts from CDOG volunteers and City Code Compliance staff, the supervision would be insufficient to meet the needs of a permanent off-leash program in a shared use format.

On February 13, 2023, City Council considered the possibility of establishing a dedicated dog park at various locations throughout the City where the space would be fenced and the sole use within the fenced perimeter would be for dog owners to play with their dogs off-leash. The dedicated dog park would allow for dog owners and their dogs to socialize in a safe manner. After considering public testimony and City staff's recommendation, the City Council directed staff to return with project plans for a dedicated off-leash dog park at Monte Vista Park and Lagunitas Park, and to officially conclude the El Carro Pilot Project. Also, the City Council asked the Public Facilities/Site Acquisition Committee to convene and consider additional locations for an off-leash dog park in the City.

On November 6, 2023, following City Council's direction, staff presented project plans for a dedicated dog park at Monte Vista Park to the Planning Commission. The Planning Commission approved a temporary use permit (TUP) to establish an approximately 14,400 square feet dedicated dog park within the footprint of Monte Vista Park for one year. The Planning Commission's approval was conditioned on (1) the City Council's approval of the design for an off-leash dog park (which is the subject on this agenda item), and (2) review of the TUP after six months of operation to confirm compliance with permit conditions and to consider any nuisance impacts to surrounding uses. The Planning Commission also requested staff to consider additional off-leash dog park areas in other parts of the City to lessen both traffic, parking, and other impacts at Monte Vista Park as the sole location for off-leash dog activities in the City. By having multiple locations, not only would it encourage residents living nearby to walk their dogs to these parks, but it would also benefit the broader community, allowing them to drive to these areas for off-leash activities. Multiple locations could diffuse/spread around the impacts to neighboring residences and (hopefully) lessen them because there will be fewer dogs and cars at any one park.

DISCUSSION

Following the City Council's direction, the Public Facilities/Site Acquisition Committee convened on November 14, 2023, December 19, 2023 and on January 4, 2024 to consider additional locations for dedicated dog parks in the City. Since discontinuing the El Carro Pilot Project, there is no public park in the City where dogs are allowed to be off-leash. Dog park proponents state this leaves dog owners in need of space to let their dogs run and socialize.

The Committee, along with staff, evaluated multiple locations. The complete list of locations considered is included as Attachment C. At its January 4, 2024 meeting, the Public Facilities/Site Acquisition Committee recommended the following locations for City Council to consider establishing additional dedicated dog parks.

- City Hall (open space adjacent to the Council Chambers parking lot)
- Casitas Pass (open space adjacent to the Avocado Orchard)

Staff is requesting feedback on the two recommended locations set forth above and plans to return at a later date with a request for additional funding for their implementation. Maps and close up images for these two locations with their corresponding parking study are included in Attachment D.

C. Approval of Dog Park Design

Staff seeks approval of the proposed dog park design, which provides basic amenities that are in compliance with the California Building Code and the Carpinteria Municipal Code, and has been reviewed by a CAFP Certified Access Specialist. The proposed fenced off-leash dog park design was conceived by the City's former PR&CS Director, Matt Roberts, in consultation with representatives from CDOG and based on lessons learned from the El Carro Park pilot program. Some of the concepts underpinning the design are memorialized in the City's March 11, 2019 Dog Park Feasibility Study. The proposed design is in accordance to the following criteria:

- Rectangular shape that follows the footprint of the selected location and maximizes the running space for dogs.
- Adjacent to the limits of the property line to minimize the encroachment.
- Double entry gate for safe entry.
- Double wide gate on the side fence to facilitate access by the maintenance vehicles to enter the area for upkeep and repair purposes.
- Fence options: 4-foot-tall fence visually less obstructive, or 6-foot-tall fence more secure. Most dog parks are constructed with 4-foot-tall fencing.
- ADA compliant.

In addition, the design provides the following ADA accommodations:

- 3 feet wide gate opening
- Kick plate for easy accessibility
- ADA modified fork latch
- 60 inches entry turning radius at double entry gate
- One of the benches to be ADA compliant.

The proposed dog park design is included in Attachment E. A visual of the Monte Vista Pilot Project – which incorporates the proposed design – is included as Attachment F.

The proposed dog park design also complies with the TUP (and associated conditions of approval) adopted by the Planning Commission. A copy of the TUP is included as Attachment G. Rules for the off-leash area were part of the TUP's conditions of approval and include, at minimum, the following, which will be memorialized in signage:

- a. Owners are legally responsible for the behavior of their dog(s). Use of the off-leash area is at your own risk. Dogs must be leashed while entering and exiting the off-leash area. Dogs must remain leashed at all times when outside of the off-leash area. Dogs must be licensed and up to date on vaccinations.
- b. Leaving dogs unattended is prohibited.
- c. Owners/handlers must be within the off-leash area and supervising their dogs at all times with a leash readily available.
- d. Limit of three (3) dogs maximum per handler.
- e. Dogs must wear a collar with identification at all times while in the off-leash area.
- f. Owners/handlers must clean up after their dog(s) immediately.
- g. Dogs in heat and puppies under four (4) months of age are prohibited.
- h. Aggressive dogs must be muzzled or removed.
- i. Children under age 13 must be supervised by an adult at all times.
- j. Young children must be closely supervised.

Signs will be posted at a minimum of four (4) locations along the perimeter of the dog park, with one at each entrance and exit. Signage will include the hours which the off-leash area is open (7:30am to 30 minutes before sunset), the rules for the dog park, and the phone number for Carpinteria Code Compliance. Signage will be maintained throughout the duration of the pilot program and will be printed in a clear, legible font.

At least one trash receptacle will be kept within the dog park and serviced on the same schedule as other trash receptacles in City parks.

The estimated costs to implement the Monte Vista Pilot Project is \$12,000. The estimated costs would allow for the installation of four (4) foot or six (6) foot tall perimeter chain link containment fence of the proposed area. Additionally, trash receptacles, dog bag dispensers and benches are provided within this amount.

Staff does not foresee the need to budget any additional funds for the annual operating costs, as the operation of these type of amenities typically have limited site impacts and replacement requirements. Additionally, site upkeep is intended to be largely self-governed which is typical to most similar facilities. Existing staff and funds dedicated to its overall operation are adequate to sustain routine operations and needs. A more detailed breakdown of the costs is included as Attachment H.

POLICY CONSISTENCY

The City's General and Local Plan policy OSC-14 directs the City to pursue the provision of adequate parks and open space for all community members. In addition, the project is consistent with the approved City Council goals for FY 2024-25 to Strengthen Community Institution Collaboration with Carpinteria CDOG which is a local non-profit organization in the City.

FINANCIAL CONSIDERATIONS

Staff is seeking a budget appropriation of \$12,000 from the General Fund Reserve (102-999-5905) to the Park Maintenance Fund (204-502-5568) for construction of the Monte Vista Pilot Project.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

As a member of the California Joint Powers Insurance Authority, the City retains liability insurance. Staff has discussed risk management with regard to dog parks with the City's assigned risk manager and reviewed written guidance the Authority provides concerning Dedicated Fenced Off-leash Dog Parks and has incorporated the recommendations of the Authority herein. The City Attorney's Office has reviewed this staff report and will be available to answer any questions at the meeting.

OPTIONS

1. Approve standardized design for the Monte Vista dog park, and for future single-use dog parks.
2. Direct changes to the dog park design.
3. Authorize the requested increase to the FY2023/24 Budget (Parks Maintenance Fund) and approval of expenditures for the implementation of the Monte Vista Pilot Project.
4. Deny the dog park design and the appropriation of funds.

PRINCIPAL PARTIES EXPECTED AT MEETING

Members of the non-profit CDOG

Neighborhood Residents

ATTACHMENTS

Attachment A: Dog Park Feasibility Study
Attachment B: Ordinance N. 733
Attachment C: Public Facility/Site Cmte. 1/4/24 Presentation
Attachment D: Additional Recommended Locations with Parking Studies
Attachment E: Dog Park Design
Attachment F: Monte Vista Park Location & Rendering
Attachment G: PC Approval Letter 11/15/23 TUP Monte Vista Fenced Dog Park
Attachment H: Ancillary Costs

Staff contact: Aida Thau, Management Analyst II
(805) 755-4432, aidat@Carpinteriaca.gov



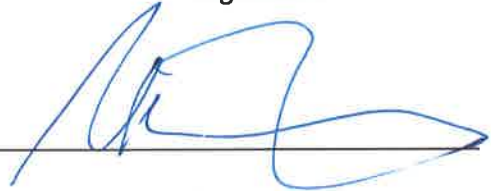
Signature

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



Signature

Reviewed by: Michael Ramirez, City Manager
(805) 755-4400, michaelr@Carpinteriaca.gov



Signature

Attachment A
Feasibility Dog Park Study



City of Carpinteria

Dog Park Feasibility Study

March 11, 2019



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- I. Introduction
- II. Types of Dog Parks
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 - iii. Memorial Park
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 - 2. Evaluation of Dedicated Dog Park Sites
 - i. Lagunitas Vacant Land
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- III. Carpinteria Municipal Code
- IV. Dog Park Maintenance
 - a. Dog Waste
- V. Design Elements and infrastructure of a Dog park
- VI. City Liability
- VII. CJPIA Guidance
- VIII. Conclusions



I. Introduction

This study was directed to be prepared by the Carpinteria City Council on September 10, 2018. Prior to that date, the City of Carpinteria received a request by a group of citizens who expressed an interest in the City accommodating more privileges for dog owners. The group has since formed as the Carpinteria Dog Owners Group (CDOG) and has attained 501(C)(3) status as a non-profit corporation. Specifically, the group asked the City to investigate relaxing its leash laws in specific areas and to look into a dedicated dog park.

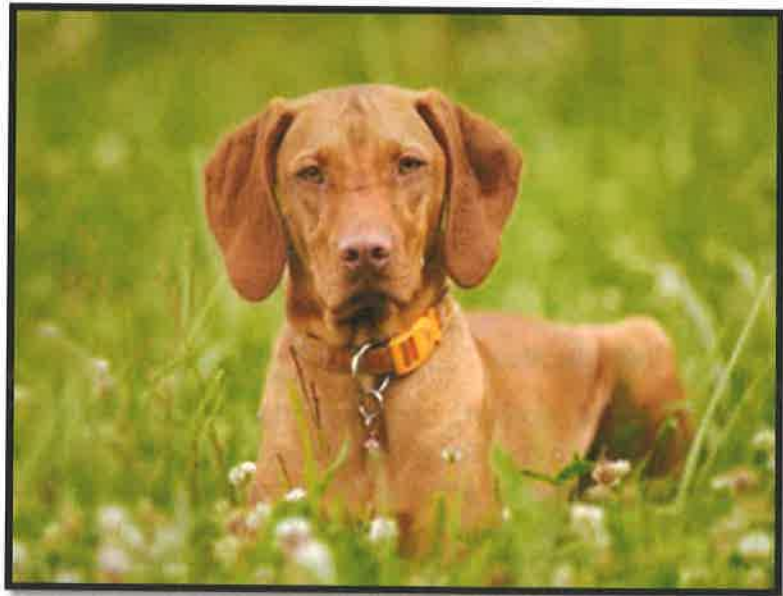
Some Cities have adopted regulations that allow for off leash privileges in areas of existing parks (shared use parks). Shared use parks are parks that have a fenced area that off leash dogs are allowed. In some cases, the off leash area is not fenced. Some Cities have developed dedicated dog parks. Dog parks are now found in nearly every state.

A dedicated dog park is a designated public area where no other park use is accommodated. Since the 1970's, many dog parks have been established across the United States. They are becoming increasingly popular due to pet owners demand and local agencies willing to relax long established leash laws regulations. In most cities and other urban areas, dog owners are required to keep their dog on-leash when the animals leave their own premises.

In urban environments dogs are generally confined to a small kennel, portions of the home, or small sections of the yard. Typically, dogs are taken on daily walks, but because of strict leash laws, they cannot run free or easily socialize with other dogs. In nature dogs were pack animals and the need for domesticated breeds to interact with other members of its species remains a part of their nature (Society for the Prevention of Cruelty to Animals, 2006). A dog socializes through posturing and behavior and a leash may inhibit communication with other dogs. A leash restricts a dog's natural movements and a leashed dog can become territorial and protective. In order to prevent unwanted barking, jumping, or nipping, some dog owners avoid contact with other people who are walking dogs.

Some dog owners defy local ordinances and permit their dogs to run off-leash in vacant lots, beaches or parks. These individuals risk receiving fines and other retribution. Dog owners are financially liable if their dog causes an incident such as biting an individual or causes a bicyclist fall and injury; there is also the possibility their pet could be hit by a car.

Locally, Carpinteria valley is thought to have about 1,800 dogs with about one half of those residing inside Carpinteria City limits. Currently, the City has 631 licensed dogs on record. Every owner of a dog four months of age or older, kept or controlled in the City limits, must obtain a dog license and pay all required fees. In order to obtain a dog license proof of a current rabies certificate is required.



In a designated off leash area, providing a safe environment for both dogs and humans presents certain challenges. Legal liabilities, design considerations, behavioral characteristics of dogs, and environmental and health issues relating to dogs and humans must all be considered.

Dog parks are provided in our local area. Off leash areas are provided in Toro Canyon Park, The Douglas Family Preserve and Arroyo Burro Beach Park to name a few.

Dog parks also provide an important recreational outlet for humans too by bringing together dog lovers of all ages, health, social, and economic status. With dogs as social ice breakers encouraging conversations among users. These parks serve well to help build community as people get to know each other and share information about responsible pet ownership. Dog parks enable people with disabilities and senior citizens

who cannot always walk their dogs a safe alternative. By spending quality time with their pet at the dog park, owners strengthen bonds with their pet.

However, there are some dog training professionals who are critical of dog parks such as Ed Frawley. Mr. Frawley is a dog trainer and producer of over 120 dog training videos and DVDs, who has written an article entitled "Dog Parks Why They are a Bad Idea" written in 2005. He feels that dog parks are "well intended, but a bad idea" because most patrons do not understand the pack social structure. He states that many dog park patrons are irresponsible because they spend too much time socializing with the other humans rather than paying attention to their pet. He is concerned because patrons bring aggressive dogs into the park and patrons often ignore the posted rules such as permitting small dogs into the large dog section. If a dog is taken to a dog park, Frawley gives the reader sensible dog park advice such as "go to the park at off-peak hours to learn when the quiet times are".

Another individual who is wary on the idea of dog parks is Cesar Millan, author of Cesar's Way and star of the National Geographic Channel's Dog Whisper. He has written a book dealing with dog psychology, dog dynamics, dog aggression, and how to raise a balanced and healthy dog. Like Frawley, Millan is not fully supportive of dog parks because he believes that many dog owners do not understand "the power of the pack". He thinks that a dog park should be a place to help increase or maintain a dog's social skills and a place where a dog can spend time with other dogs. He does not think that a dog park should be a substitute for exercise and walking.

Ohlone Dog Park (also known as the Martha Scott Benedict Memorial Park), in Berkeley, California, is recognized as the first dog park in the world; it was established by the city of Berkeley as an experimental project in 1979. The park's steward, the nonprofit Ohlone Dog Park Association (ohlonedogpark.org), has an ongoing partnership with the city to ensure the quality and historical significance of the facility.

As with The Martha Scott Benedict Memorial Park, many dog parks are supervised by an association of dog owners whose members can exert peer pressure to enforce the rules of the dog park. In many cases, the dog park group monitors the park's use, cleans up, raises funds for amenities, and serves as communications liaison with the city, neighborhood, and dog owners. In some cases, the core dog owner's group may



raise the funds necessary to build the park including fences and other amenities, supply dog waste bags, post signs, etc. However, funding may come from a corporate sponsorship or from the City. Some dog parks charge a usage or permit fee.

Agencies that have installed dog parks have considered several primary concerns; safety to humans and other dogs, noise generated from a concentration of barking dogs, sanitation problems from the build-up of feces, disturbance of wildlife or native plants and how to handle ongoing maintenance.

II. Types of Dog Parks

A. Shared Use Parks

One option is to allow for off leash areas within an existing City park or parks. The off leash area and other uses may overlap in the same area or may occur in separate areas of the park, but the uses are usually separated by a physical barrier such as a fence. It is also possible to assign special times allowing dogs off leash during a specific period of the day or week.

The City of Encinitas, CA, has three neighborhood parks that allow dogs off leash that also have children's playgrounds or other uses within the park. These uses are not separated by a fence, as the City did not want the children fenced in and did not want the dog area fenced off. Instead, Encinitas park uses are separated by time. Dogs are allowed off leash during certain hours and days of the week when children are less likely to be present. For example, every other weekday and one weekend day is available for off leash use and, on those days, the off leash time is restricted to early morning and late afternoon into evening hours. Scheduling off leash hours for early and late in the day allows people to exercise their dogs before and after work. The mid-day hours are reserved for other recreation uses.

Three Carpinteria parks were evaluated as a part of this study as possible shared use parks. These are El Carro Park, Monte Vista Park and Memorial Park.

1. Evaluation of Shared Use Park Sites

Shared use park sites under consideration for the purposes of this study include El Carro Park, Memorial Park and Monte Vista Park. All of these city parks are in the vicinity of residential areas with Memorial Park and Monte Vista Park having the most multifamily housing nearby. All three sites have existing play structures and picnic areas. All the parks are already intensively used by the neighborhoods.

a. El Carro Park

El Carro Park is the largest and probably the most intensively used local park by organized sports including AYSO Soccer and Carpinteria Valley Little league. Because it is foreseeable that dogs in dog parks might become over-excited and aggressive it is plausible that the placement of dog parks near playgrounds, sports fields and picnic

areas could pose a high risk to the children in the playgrounds and less agile pedestrians.



The area preferred in El Carro park is in the northern field shown outlined in red. This 2.15 acre portion of the park is over 100 yards away from a children's play structure and picnic facilities. It is adjacent to a youth services facility (Girl's Incorporated), a private elementary school (Howard School), and 13 residences to the south and west. Use of this area would need to be time limited in a way similar to Encinitas parks and coordinated with sports use of the field.

In order to prepare this park for off leash purposes, fencing and regulatory signage would be required. When in operation, periodic code enforcement presence would be required. CDOG oversight would also be highly recommended.

b. Monte Vista Park



Monte Vista Park is located in the eastern part of the City. It is smaller than El Carro Park. It does not typically have league sports but is often used for team practice. The preferred area is within 100 feet of a children's play structure, but the designated area could be reduced in size to increase the buffer area. The park is surrounded by multifamily housing and agriculture. In order to prepare this park for off leash purposes, fencing and regulatory signage would be required. When in operation, periodic code enforcement presence would be required. CDOG oversight would also be highly recommended.

c. Memorial Park



Memorial Park is much smaller than the other previous mentioned parks. It is surrounded by multifamily housing and the park is intensively used. No organized sports formally use the park, but pick up games and team practices are common. Memorial Park has a high use by small children in the play area. The play structure is about 150 feet away from the area highlighted. The new play structure there is very popular. In order to prepare this park for off leash purposes, fencing and regulatory signage would be required. When in operation, periodic code enforcement presence would be required. CDOG oversight would also be highly recommended.

B. Dedicated Dog Parks

A dedicated dog park is one that is exclusively managed to allow off leash dogs. In a park of this type, other amenities such as a children's play area or organized sports are not accommodated. In the circumstance the City would like to pursue a dedicated dog park, several sites could be considered. No site will be perfect, but size, sensitive adjacent uses, and acquisition and development costs need to be considered.

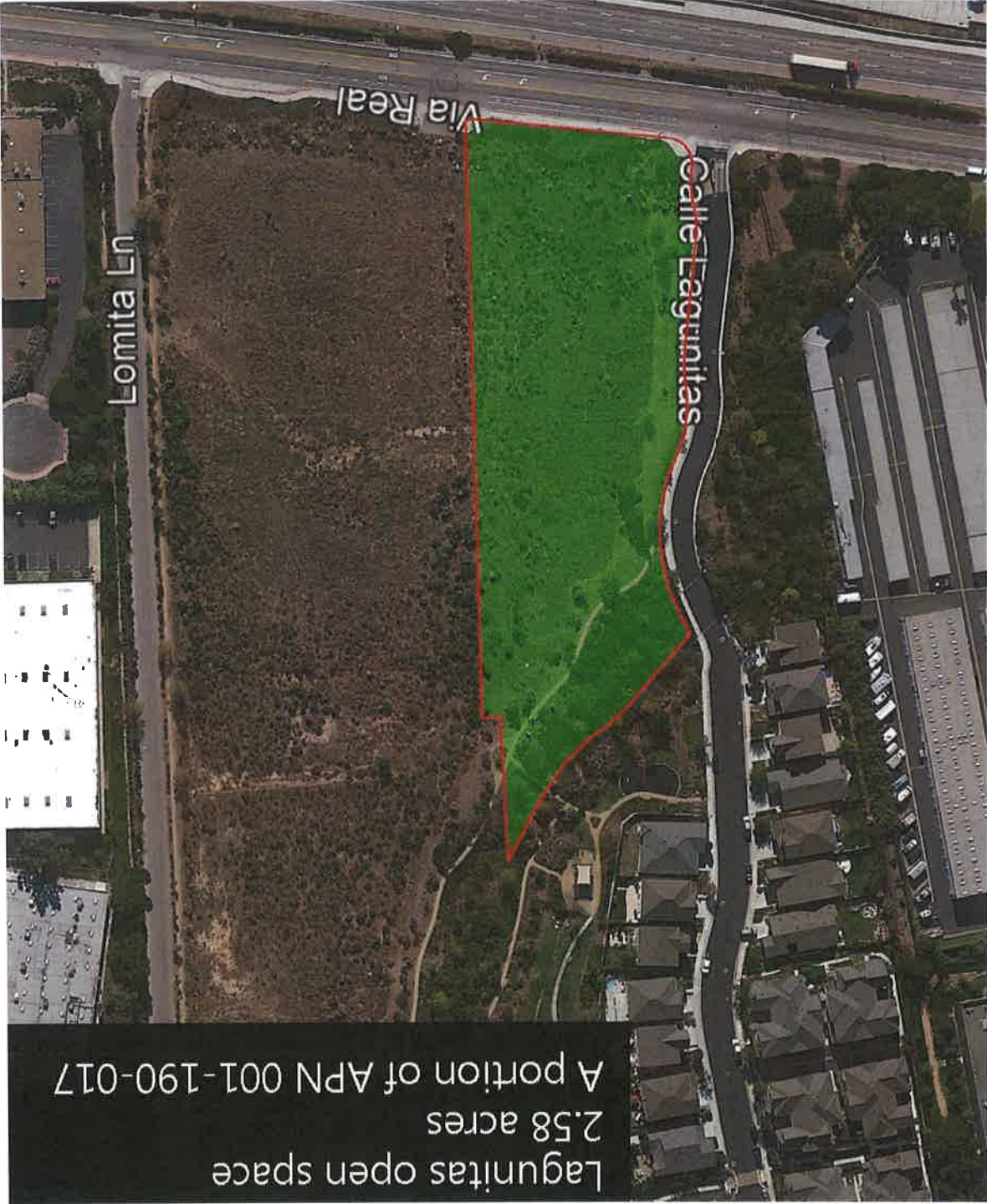


2. Evaluation of Dedicated Dog Park Sites

a. Lagunitas Vacant Land

One site that is available with very little cost is located at 6380 Via Real in the eastern part of the City. It is 2.58 acres in size and is presently unimproved open space with no amenities. The site has many compatible characteristics for a dog park as it does not have existing park uses, is isolated from sensitive neighboring uses and is large enough to install a quality dog park project.

Lagunitas Open Space is available to the City with no cost to purchase the land. As a condition of City ownership, it must only be used for park and open space purposes. It is large enough to design a competent dog park design with small and large dog areas. The site has adequate space for needed parking.



Lagunitas open space
2.58 acres
A portion of APN 001-190-017

b. Dump Road Parcels

Dump Road open space is privately owned. It has adequate space to design a nice dog park with adequate parking. The site has been used as a lay down yard recently for emergency public utility use so it is devoid of any natural features. It is zoned for industrial uses. Its price and availability are not known.



Another parcel of land near Dump Road is APN 001-170-003. It is about 8.8 acres of land that is zoned for recreation and open space. This parcel has no established access from a public street. The parcel has been used for tree plantings and consequently has a nice coastal forest. The parcel abuts up to twenty single family homes that may be sensitive to a dog park use of the site. Site acquisition costs and availability are unknown.



c. Carpinteria Creek Park

A parcel of land situated near the Carpinteria Creek Park may be suitable for a off leash area. While the County of Santa Barbara currently owns the land and it is a construction zone for the Casitas Pass Interchange, it is expected to be transferred to the City once construction is complete. The Site features mature native oak trees and proximity to Carpinteria Creek. These attributes may also pose challenges as they are considered sensitive habitat areas. Other challenges include provisions for parking and for restrooms. The site is comparatively small and its topography and closeness to the freeway are considered challenges.



III. Carpinteria Municipal Code

Public safety is the most important factor in considering an off leash dog park. Should the City of Carpinteria pursue accommodating any off leash privileges, the Carpinteria Municipal Code will need to be amended. Staff has reviewed the regulations of many communities and suggests that amendments will need to be based upon the whether the City pursues a shared use park, a dedicated dog park, or both.

Currently the Carpinteria Municipal Code reads as follows:

CMC 6.04.230 - Dog leash required when.

- It is unlawful for any person to suffer or permit any dog owned, harbored, or controlled by him to be on any public street, alley, lane, park or place of whatever nature open to and used by the public in the city or on any private property without permission of the owner or person in charge thereof, unless such dog is securely leashed and the leash is held continuously in the hand of a responsible person capable of controlling such dog or unless the dog is securely confined in a vehicle.

The CMC could be amended to include a provision to allow off leash areas by amending the code to read as follows;

This section prohibiting off-leash dogs in public parks shall not apply to dogs that are off-leash within designated off-leash dog areas established by Resolution of the City Council. The City shall post appropriate signs and notices designating off-leash dog areas and indicating the rules and regulations applicable to such designated off-leash dog areas. Failure to comply with the posted rules and regulations shall constitute a violation of Section 6.04.230 of the City of Carpinteria Municipal Code.

Rules can be established and include many or all of the following items taken from rules of existing dog parks.

1. All dogs must be on leash entering and exiting the fenced area. Dog owners or handlers must have a leash in hand at all times for each dog under their control. Leashes may not exceed 6 feet in length.
2. Dogs must be under the voice control of their caretaker.
3. All dogs must remain within the fenced area when off leash.
4. Owners must be in control of their dogs at all times. Dogs with a history of dangerous behavior are not allowed.
5. Cleaning up after your dog is required.
6. Dogs must have current licenses and vaccinations; licenses must be on the dog's collar; collar must be on the dog.

7. No more than three dogs per owner/handler.
8. Children under the age of 14 must be closely supervised by an adult.
9. Consumption of food and the use of glass containers are not allowed in the off-leash area. No food, beverages, glass, sharp objects or weapons are permitted inside the park.
10. Dogs in heat are not allowed.
11. No puppies less than 4 months of age are allowed.
12. Owners must provide their own drinking bowls.
13. Leaving dogs unsupervised is prohibited.
14. Training classes are not allowed unless permitted in writing by the City.
15. Dog bites should be reported immediately to the City of Carpinteria.
16. Every person bringing a dog to the park must possess a driver's license or government-issued identification card.
17. No dog shall be left unattended by its owner or allowed out of sight.
18. No dogs allowed if previously adjudicated to be dangerous.
19. No dogs allowed that previously have bitten or injured a person or another animal or is showing aggression towards people or other animals.
20. No dogs allowed that are known to initiate fights with other dogs.
21. All violations will be investigated and one of the possible penalties is revocation of privilege.
22. Owners are legally responsible for their dogs and any injuries caused by them.

IV. Dog Park Maintenance

Maintenance of dog park facilities will be an important consideration. Maintenance will be required to keep fences in order, fill holes dug by dogs, maintain the landscaping and parking areas and dog waste must be managed. As dog parks have become more common, agencies have realized the maintenance is critical to user satisfaction. Most common complaints include no vegetation, excessive dog waste, overstimulated dogs running amok, dog fights, and even dog deaths.

The cost of maintenance of a dog park must be accommodated to make the project successful. Routine patrol, code enforcement and maintenance activity will be required. It is important the City have a record of dog park inspections and rule enforcement activity.

A. Dog Waste

"There are over 20 different bacteria, viruses and parasites in dog feces that can infect other dogs," said Michael Lappin, the Kenneth W. Smith Professor of Infectious Disease at Colorado State University.

In 2012, Lappin led one of the first studies to discover whether dog park visitation is associated with an increased prevalence of parasites. Lab results showed dogs that visit dog parks were more likely to test positive for two common parasites (giardia and cryptosporidium) than non-dog park-attending dogs. The strains of these parasites were those that infect dogs and not typically people.

But if the dogs are healthy and are on parasite-preventative products, the Centers for Disease Control and Prevention says dog parks pose a minimal risk. People who become sick from these agents are usually the very young or very old and those who are immune-compromised.

If dog waste is not properly handled, then environmental contamination could occur. When rain occurs, dog park runoff can contribute to high bacteriologic counts and contribute to creek and beach closures.

A dog park properly operated will have strict compliance of dog waste pick up, provide dog waste disposal containers and a record of enforcement.

V. Design Elements and Infrastructure of a Dog Park.

Designating an area as a dog park requires consideration of design. Signage must be present to clearly inform all visitors of dog park rules. Double gates for safety; visually shielded from dogs that are already in the park. Two or three entrances are preferable. A well designed dog park will have fencing and decisions on how high and what type are important. The park should be as large as possible, at least an acre. It is preferably not a square piece of land, but one that is oddly shaped. The park should have hills, structures and trees to block dogs from racing towards each other.

Keeping large dogs and small dogs separated is considered by many experts to be critical. Park features such as a potable water fountain, shade, accessible parking, large and small dog areas, seating, dog waste bag dispensers, durable and appropriate



landscaping, trash cans, restrooms and other amenities are considered important. Should the City decide to proceed with any form of a dog park project, it is recommended a licensed landscape architect be retained to provide plans and design details.

VI. City Liability

In consideration of pursuing a dog park project, the City must consider exposure to liability. Generally, some immunities exist that protect government entities from some claims. For example,

California Government Code §831.7.5. provides some immunity and states as follows

- (a) A public entity that owns or operates a dog park shall not be held liable for injury or death of a person or pet resulting solely from the actions of a dog in the dog park.

California Government Code Section §830.6 provides, "Neither a public entity nor a public employee is liable ... for an injury caused by the plan or design of a construction of, or an improvement to, public property where such plan or design has been approved in advance of the construction or improvement by the legislative body ... or employee exercising discretionary authority to give such approval or where such plan or design is prepared in conformity with standards previously approved.

However, failure to enforce its own rules and regulations may result in governmental liability. Dog parks frequently are governed by special rules that are either posted or part of the local municipal code. If an irresponsible dog owner has a habit of breaking those rules, and the local animal control officers do nothing despite being informed, a person who sustains personal injuries or injuries to his or her dog may prevail against the municipality.

VII. CJPIA Guidance

The City of Carpinteria is a member of the California JPIA. The CJPIA works with the members to reduce the frequency and severity of claims. Through risk analysis and continued education, the Authority helps its members identify exposures and prevent losses. Each member agency is assigned a professional Risk Manager to serve its specific needs and to help the agency determine its risk management strategy. The assigned risk manager for the City of Carpinteria was queried about possible dog park ideas including off leash areas and a dedicated dog park. Some concern was expressed about time control off leash privileges in existing parks as they may be an unconventional approach and mixed uses in parks can lead to increases in liability exposure. The idea of a dedicated dog park was considered a preferred approach and a record of rule enforcement by the City considered to be a good management practice.

VIII. Conclusions

Dog parks enable owners to spend quality time with their dogs. These areas promote social interactions among dogs and generally offer a safe setting for regular exercise in a controlled environment under the supervision of their owners. Over the last decades,

dog parks became very popular in urban areas and are one of the fastest growing segments of city parks.

Shared use parks are a viable concept if properly designed and programmed to avoid conflicts of use with existing park activities. A record of rule enforcement is recommended.

A dedicated dog park facility is a more conventional approach but must also be properly designed, maintained and supervised to be successful.

A nongovernment partner supporting or operating the off leash dog park is considered a big plus to the success of an off leash dog park.

Attachment B
Ordinance N. 733

ORDINANCE NO. 733

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA, AMENDING CHAPTERS 6.04 AND 12.24 OF THE MUNICIPAL CODE TO ESTABLISH REGULATIONS FOR OFF-LEASH DOG AREAS.

WHEREAS, Carpinteria Municipal Code Chapter 6.04 establishes the City of Carpinteria Animal Control regulations, including Section 6.04.320, concerning requirements for dogs to be kept on leash; and

WHEREAS, the City Council has received testimony and written requests from members of the public for establishment of dog parks and other off-leash areas; and

WHEREAS, exploring the establishment of off-leash dog areas in the City of Carpinteria was approved by the City Council as a work item in its adopted 2019 Work Plan; and,

WHEREAS, at its regular meeting of March 11, 2019, the City Council received a written and oral report concerning the feasibility of Dog Parks and other off-leash areas in Carpinteria (Feasibility Study); and

WHEREAS, the Feasibility Study considers the risks, logistical concerns and benefits dog parks and off-leash areas present to the community; and

WHEREAS, the Feasibility Study also references other studies conducted by experts that conclude that dog parks and off-leash areas can provide a variety of community benefits, including improvements in the physical and psychological health of dogs and their owners; and

WHEREAS, the Feasibility Study references standards for the design, construction and operation of off-leash dog areas; and

WHEREAS, the Feasibility Study describes dog parks and off-leash areas as public facilities with a history of being safely operated to the benefit of the public in many communities throughout the U.S., in California and in the immediate region; and

WHEREAS, in response to the Feasibility Study and written and oral testimony received at its March 11, 2019 meeting, the City Council, among other things, initiated the legislative process to amend the Carpinteria Municipal Code concerning off-leash dog areas.

**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.

Amending CMC 6.04.020, Definitions, to add the following: "Off-leash dog areas" means City parks, or portions of City parks, approved by the City Council by resolution and so designated by the posting of signs and notices describing the area reserved for off-leash dog activity."

SECTION 3.

Amending CMC 6.04.230 - Dog leash requirements, in its entirety as follows:

- A. It is unlawful for any person to suffer or permit any dog owned, harbored, or controlled by him to be on any public street, alley, lane, park or place of whatever nature open to and used by the public in the city or on any private property without permission of the owner or person in charge thereof, unless such dog is securely leashed and the leash is held continuously in the hand of a responsible person capable of controlling such dog or unless the dog is securely confined in a vehicle.
- B. This section shall not apply to areas designated as off-leash dog areas under the control of the City and pursuant to the following:
 - 1. Implied Consent. The presence of a dog, owner and/or handler in a designated off-leash dog area shall constitute implied consent of the owner or handler to comply with the rules and regulations posted on site, and with Chapter 6.04 of the Carpinteria Municipal Code.
 - 2. Liability and Indemnification. Individuals enter the off-leash dog area at their own risk. The presence of a dog, person, owner and/or handler in an off-leash dog area shall constitute the waiver of liability, on behalf of the person, to the City of Carpinteria, as well as an agreement and undertaking to protect, indemnify, defend and hold harmless the City of Carpinteria for any injury or damages caused by a dog.
 - 3. Dog Park Rules. Individuals electing to use dog parks shall comply with rules and regulations applicable to such designated off-leash dog areas. Any person found to be in violation of the dog park rules and regulations is subject to a fine of up to \$500 for each violation and/or prohibited entry to all off-leash dog areas for up to six months. Notwithstanding, the city reserves the discretion to enforce posted rules and regulations in accordance with Section 6.04.650.

- C. All dogs subject to the provisions of Sections 6.04.320, 6.04.330, 6.04.340 and 6.04.350, are prohibited from entering designated off-leash dog areas until the animal control director has determined that the dog is not potentially dangerous or vicious pursuant to those provisions, or lifts the quarantine order, whichever applicable.

SECTION 4.

Amending paragraph A of CMC 6.04.350 - Biting dog—Notice to Owner—Disposition—Quarantine requirements—Destruction when, in its entirety as follows:

- A. Upon written notice by the animal control director, the owner or person having the control of any dog which has within the preceding ten days bitten any person, whether on private property, in public areas, in designated off-leash dog areas or otherwise, shall, upon demand, and in the discretion of the animal control director, follow one of the following procedures:

SECTION 5.

Amending CMC 12.24.020 – Public parks and Beaches – Prohibited acts and exceptions, as follows:

12. To hitch, fasten, lead, drive or let loose any animal or fowl of any kind, provided that this shall not apply when led by a cord or chain, not more than six feet long, or when a dog is located in an off-leash dog area pursuant to the requirements of Chapter 6.04;

SECTION 6. 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 7. 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 8. 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 9. CERTIFICATION

The City Clerk shall certify to the passage and adoption of this Ordinance.

PASSED, APPROVED AND ADOPTED on November 12, 2019, by the following vote:

AYES: COUNCILMEMBER(S): CARTY, LEE, SHAW, CLARK, NOMURA

NOES: COUNCILMEMBER(S): NONE

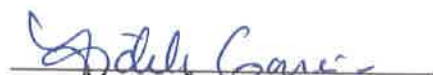
ABSENT: COUNCILMEMBER(S): NONE

ABSTAIN: COUNCILMEMBER(S): NONE



Mayor, City of Carpinteria

ATTEST:



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 November 12, 2019.



City Clerk, City of Carpinteria

APPROVED AS TO FORM:



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

Attachment C
Public Facility/Site Acquisition Committee
1/4/24 Presentation

ADDITIONAL LOCATIONS OFF-LEASH DOG PARK PILOT PROGRAM

PUBLIC FACILITY SITE ACQUISITION/DEVELOPMENT COMMITTEE

JANUARY 4 , 2024

AIDA THAU - PARKS, REC, AND COMMUNITY SERVICES

Background

- **Sept 2018** City Council directive to pursue off-leash area
- **Nov 2019** Amendment of CMC to allow off-leash areas (Ord No. 733)
- **March 2019** Dog Park Feasibility Study
- **Oct 2020-Feb 2023** El Carro Park Pilot Program
- **Feb 2023** City Council directed staff to bring off-leash dog park
- **June 2023** City Council voice support for off-leash dog park funding
- **Nov 2023** Planning Commission approved TUP Monte Vista off-leash and expressed desire for additional locations throughout the city to reduce use & parking impact at single location.

Next Steps

Identify additional locations in the City for multiple off-leash dog parks

- Nov. 14, 2023 – Public Facility Site Acquisition/Development Committee
Review of all proposed locations and recommendation
- Dec. 5, 2023 – State Parks informed us that they will not grant
permission for off-leash areas on their land
- Dec. 19, 2023 – Public Facility Site Acquisition/Development Committee
Update on revised locations and recommendation
- Jan. 4, 2024 – Public Facility Site Acquisition/Development Committee
Review of additional locations and recommendation
- Jan. 22, 2024 – City Council
Review the approved TUP Monte Vista off-leash dog
park, additional recommended locations, and park design

Project Analysis

El Carro Dog Usage Data, collected by C-DOG 2020-2021

- Daily average: 34 dogs
- Max daily: 56 dogs
- Fairly even distribution of use throughout the week

Off-Leash Dog Park Pilot Program Comparison

- Fenced, smaller area
- No residential backyards immediately adjacent to proposed locations
- Not a shared-space/multi-use dog park

Suggested Conditions Off-leash Pilot Program

- Dog park hours: 7:30am to 30 mins after sunset
- Regulate # of dogs per handler (Max. 3)
- Set and post rules for dog parks
- Request C-DOG member participation in collecting usage data
- Planning Commission to review at the 6 month mark from opening date

Example off-leash fencing area

West Mifflin Borough, PA



Example double entry gate



Proposed Locations for Additional Off-Leash Dog Parks

- Casitas Pass Avocado Orchard
- Dump Road
- City Hall (Space behind Council parking)
- Community Garden (Adjacent Lot)
- Lagunitas

- Farmer Parcel – Declined
- Linden - Ash Coastal Segment – Declined
- Rincon Road – Declined
- Linden Field (Close to Tomol Park) – Declined
- Palm Ave (Entrance of State Park) – Declined

SITES MOVING FORWARD FOR FURTHER CONSIDERATION



CASITAS PASS AVOCADO ORCHARD

Site Photos



Site Photos



Site Photos

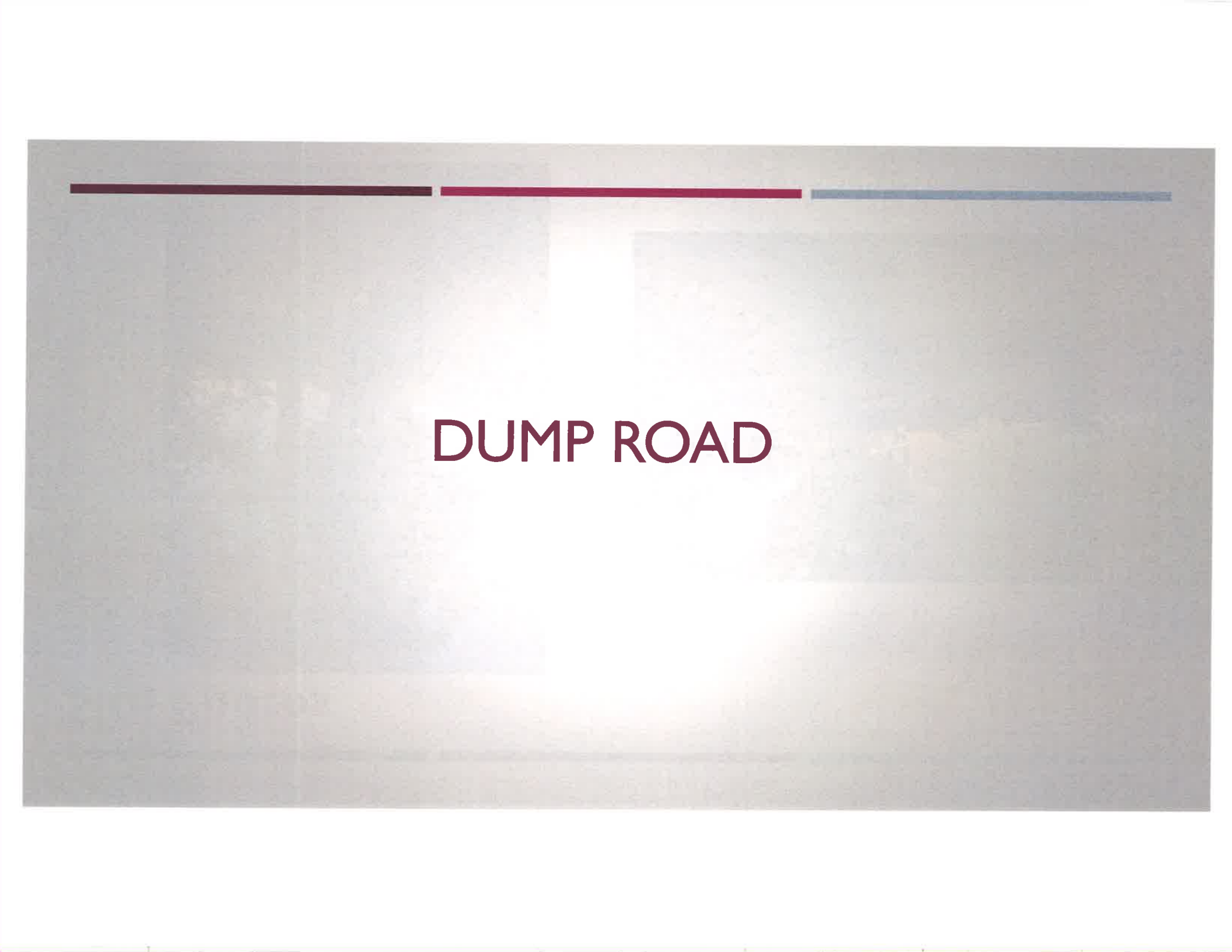


Site Photos



Pandanus St.

ndos



DUMP ROAD

Site Photos



Site Photos



Site Photos





CITY HALL

Site Photos



Site Photos



Site Photos



Site Photos



COMMUNITY GARDEN (ADJACENT LOT)

Site Photos



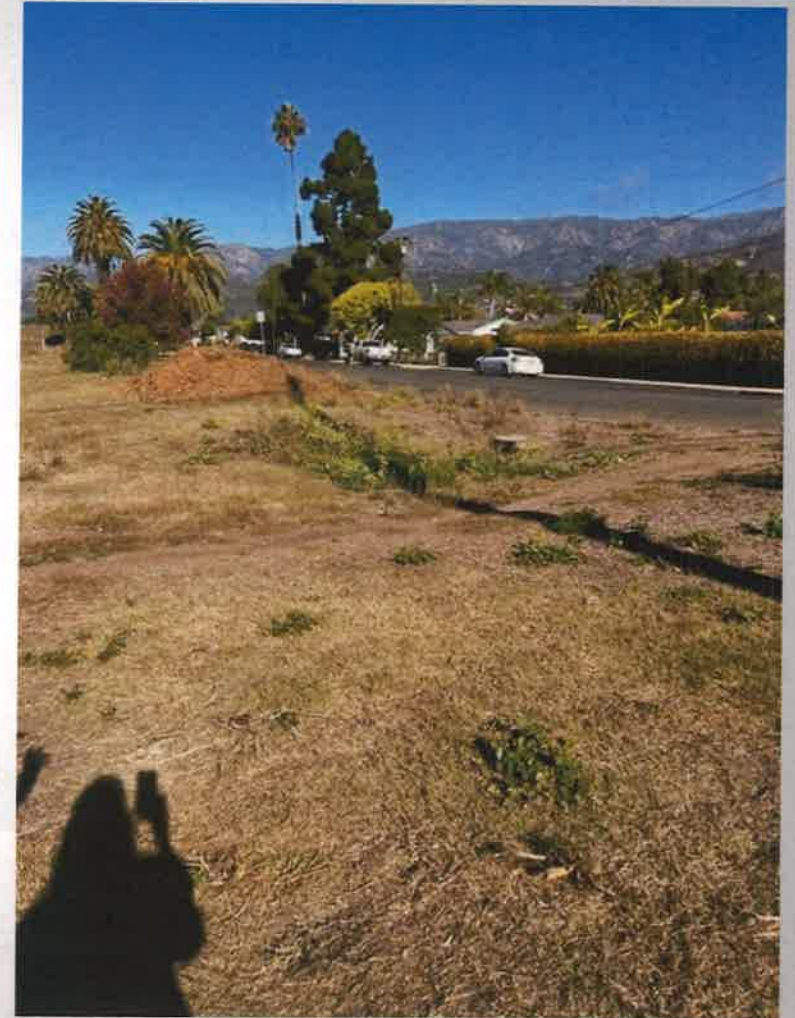
Southern Pacific Rail Road

Site Photos



City Owned Parcel

Site Photos



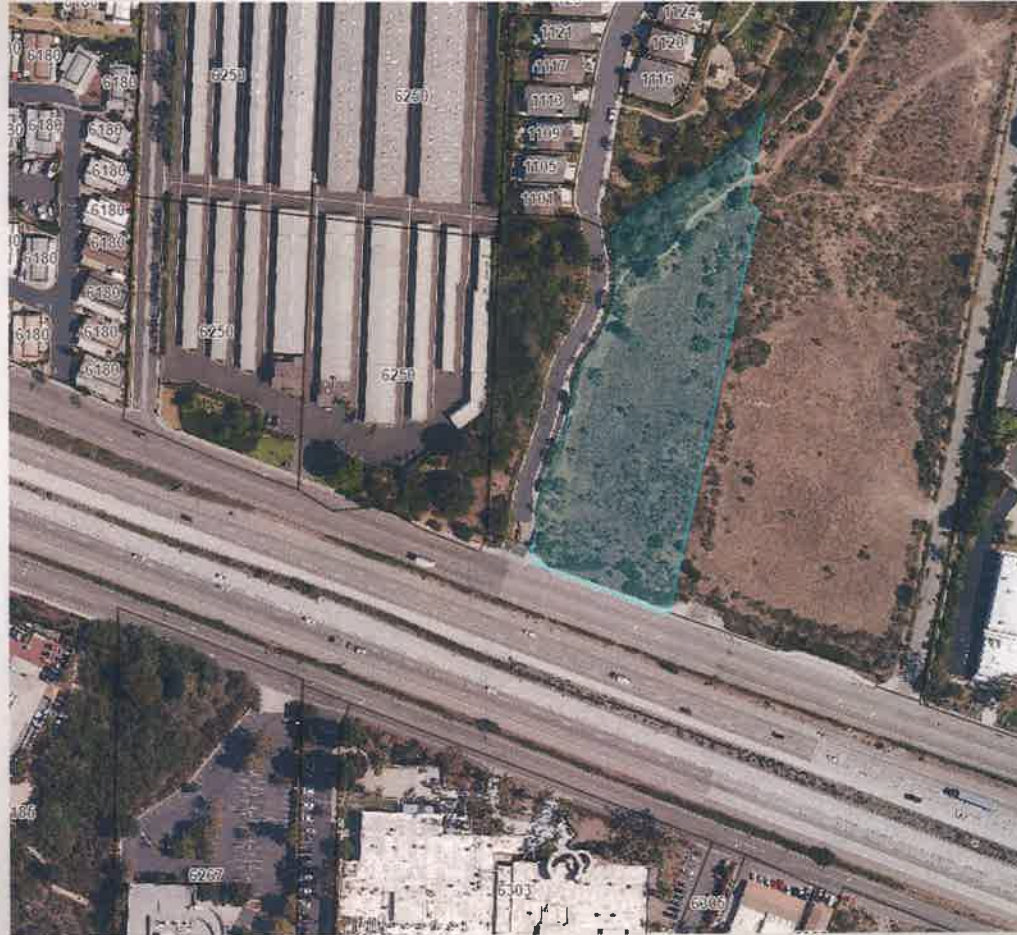
Site Photos





LAGUNITAS

Site Photos



Site Photos



Site Photos



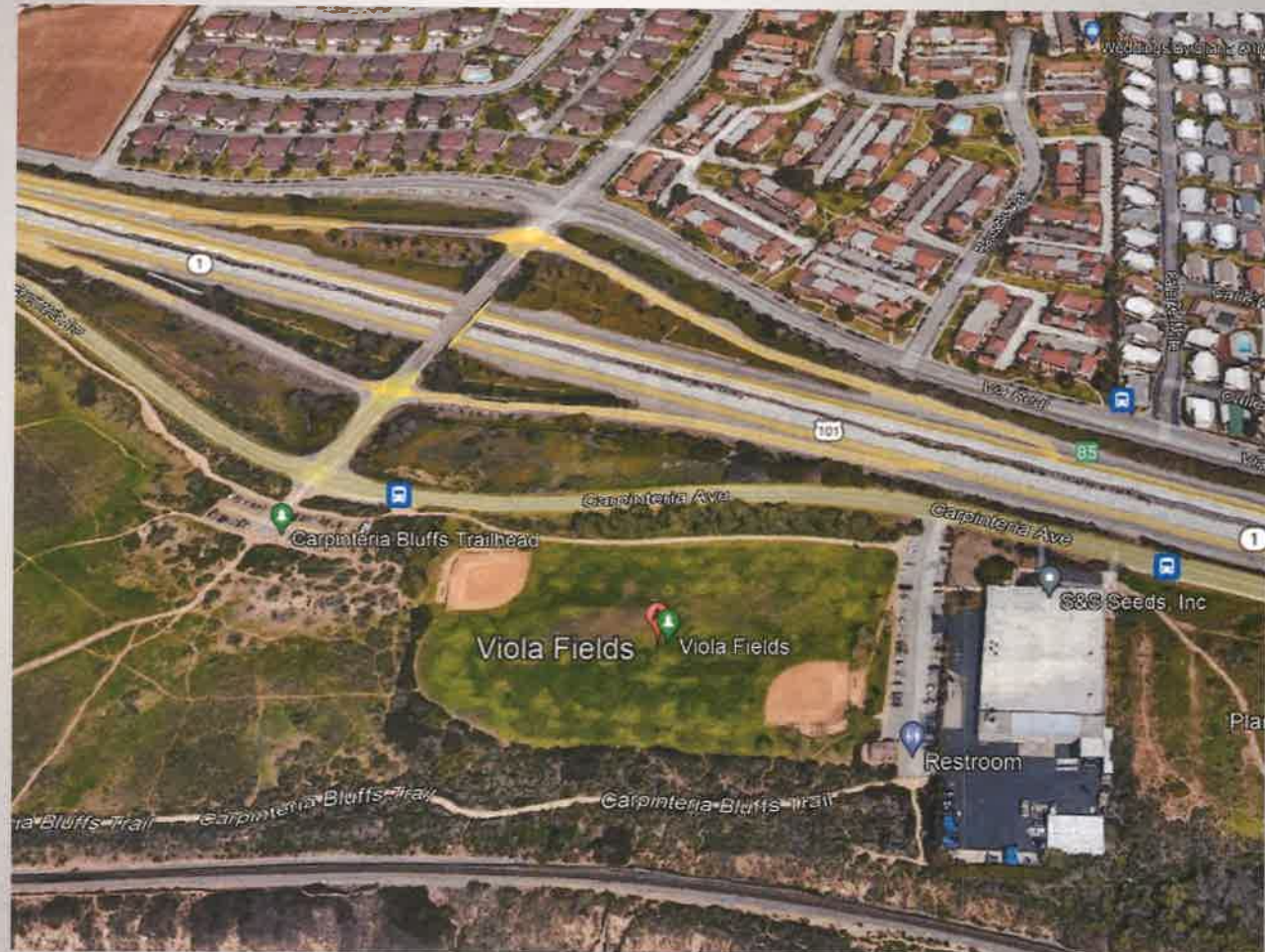


DECLINED SITES



FARMER PARCEL

Location



Site Photos



condos

Site Photos



condos

t.



LINDEN - ASH COASTAL TRAIL SEGMENT

Location



Site Photos



condos

Site Photos

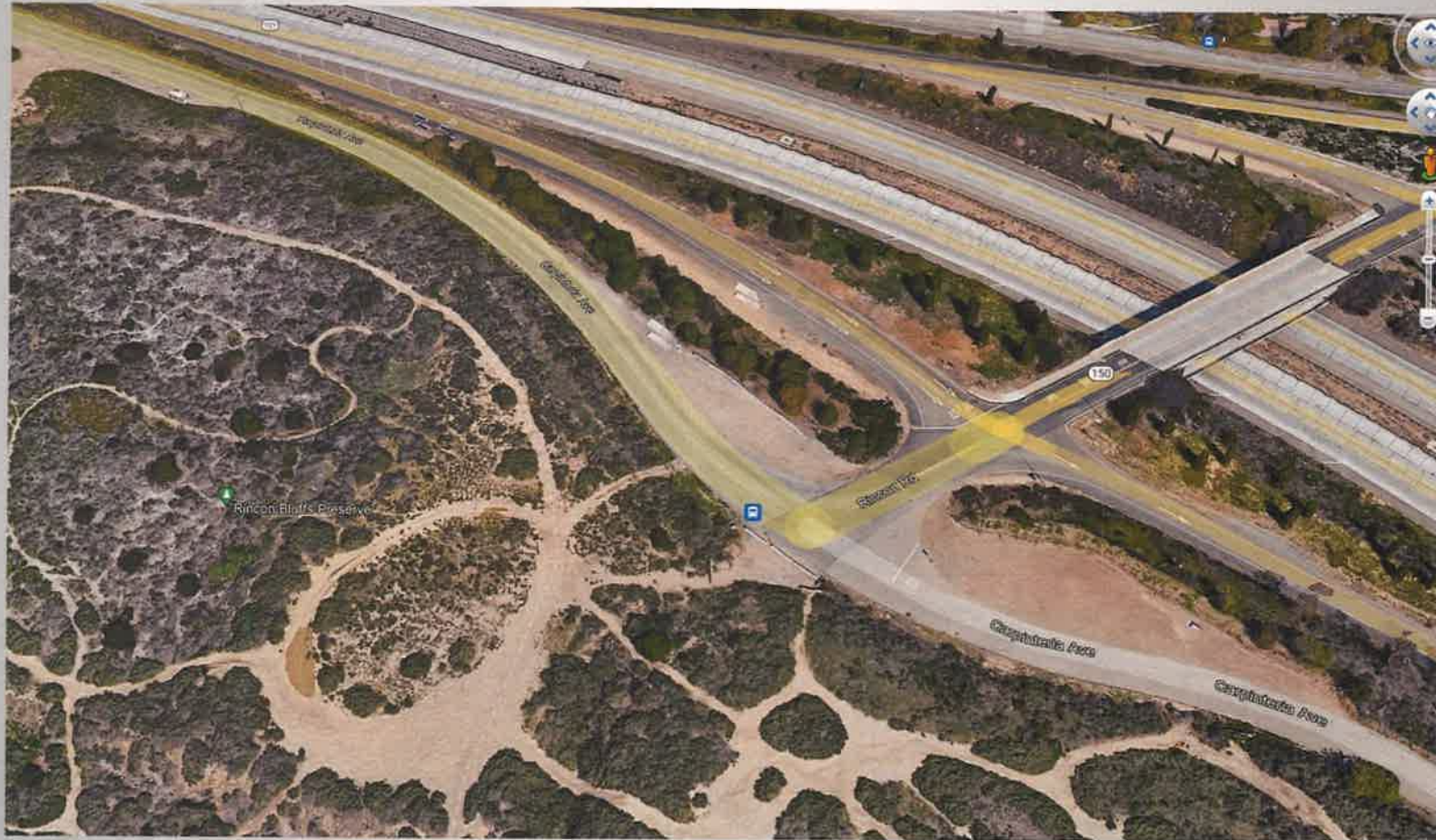


condos



RINCON ROAD

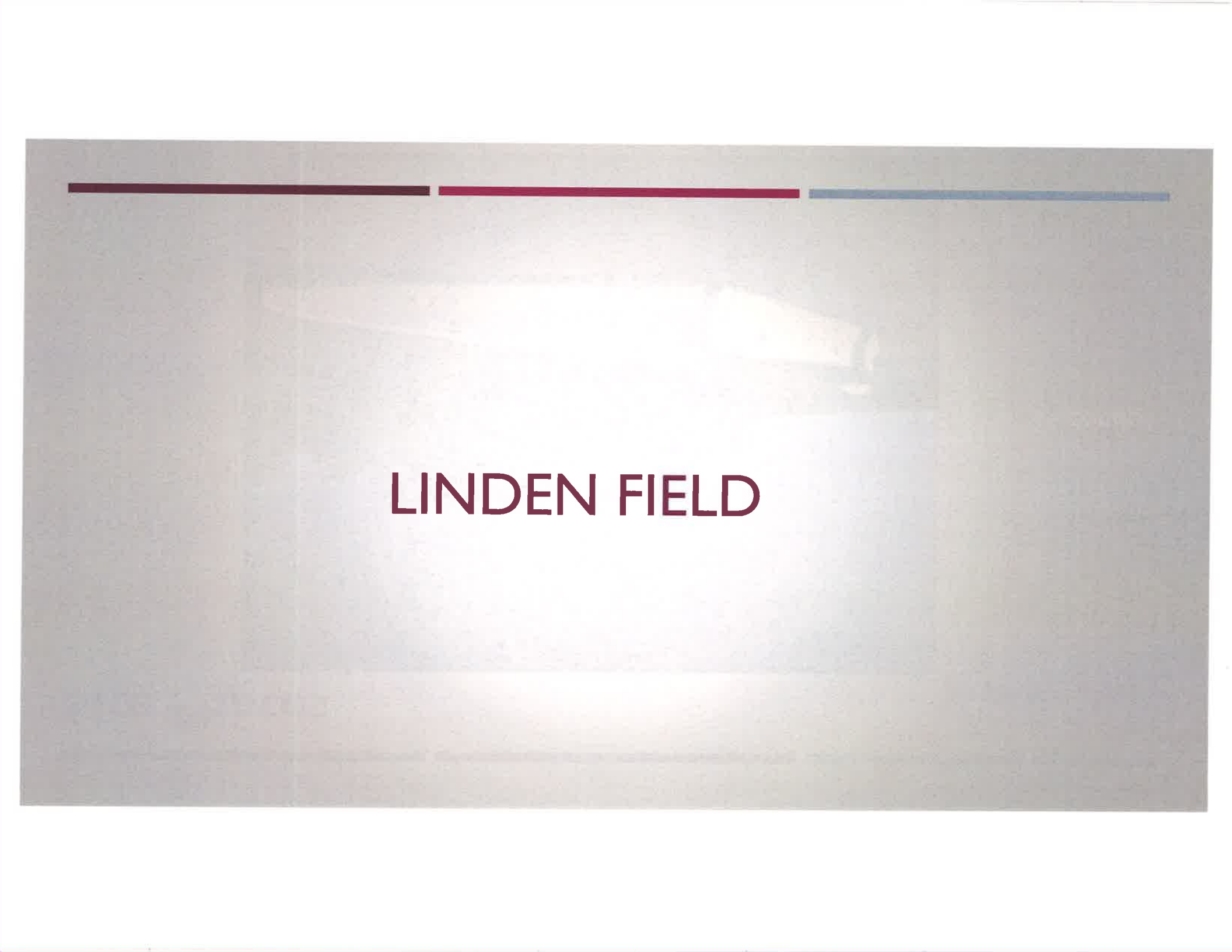
Location



Site Photos



condos



LINDEN FIELD

Location



Site Photos

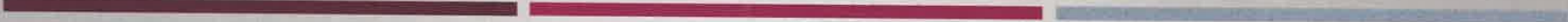


condos

Site Photos



condos



Questions

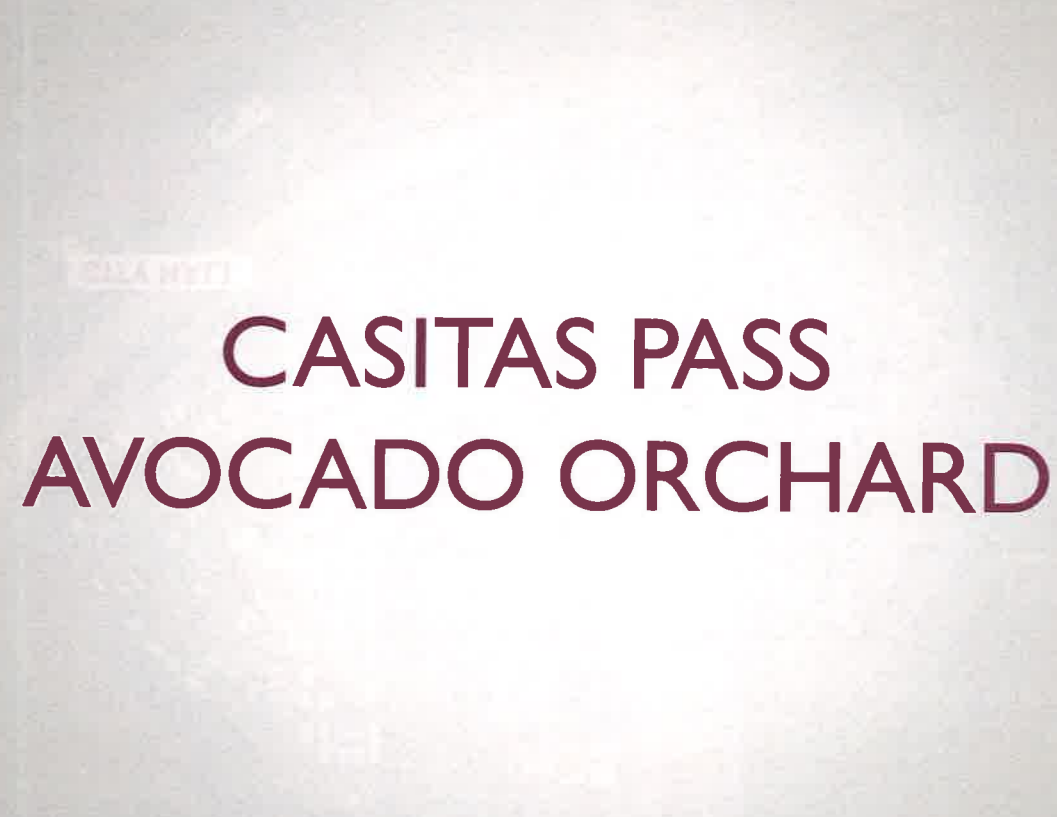
Attachment D
Additional Recommended Locations
with Parking Studies



CASITAS PASS

CITY HALL

MONTE VISTA
PARK



CASITAS PASS AVOCADO ORCHARD



CASITAS PASS

RADIUS OF 1 MILE



LOCATION #2
CASITAS PASS

Site Photos



Site Photos



Pandanus St.

ndos

Casitas Pass

- On-street parking
 - 1040 ft available
 - 52 potential parking spots
 - From Ogan Rd to just after Cameo Rd



Proposed off-leash dog park area

Not to scale



CITY HALL

1000 W. 10TH
CULVER CITY

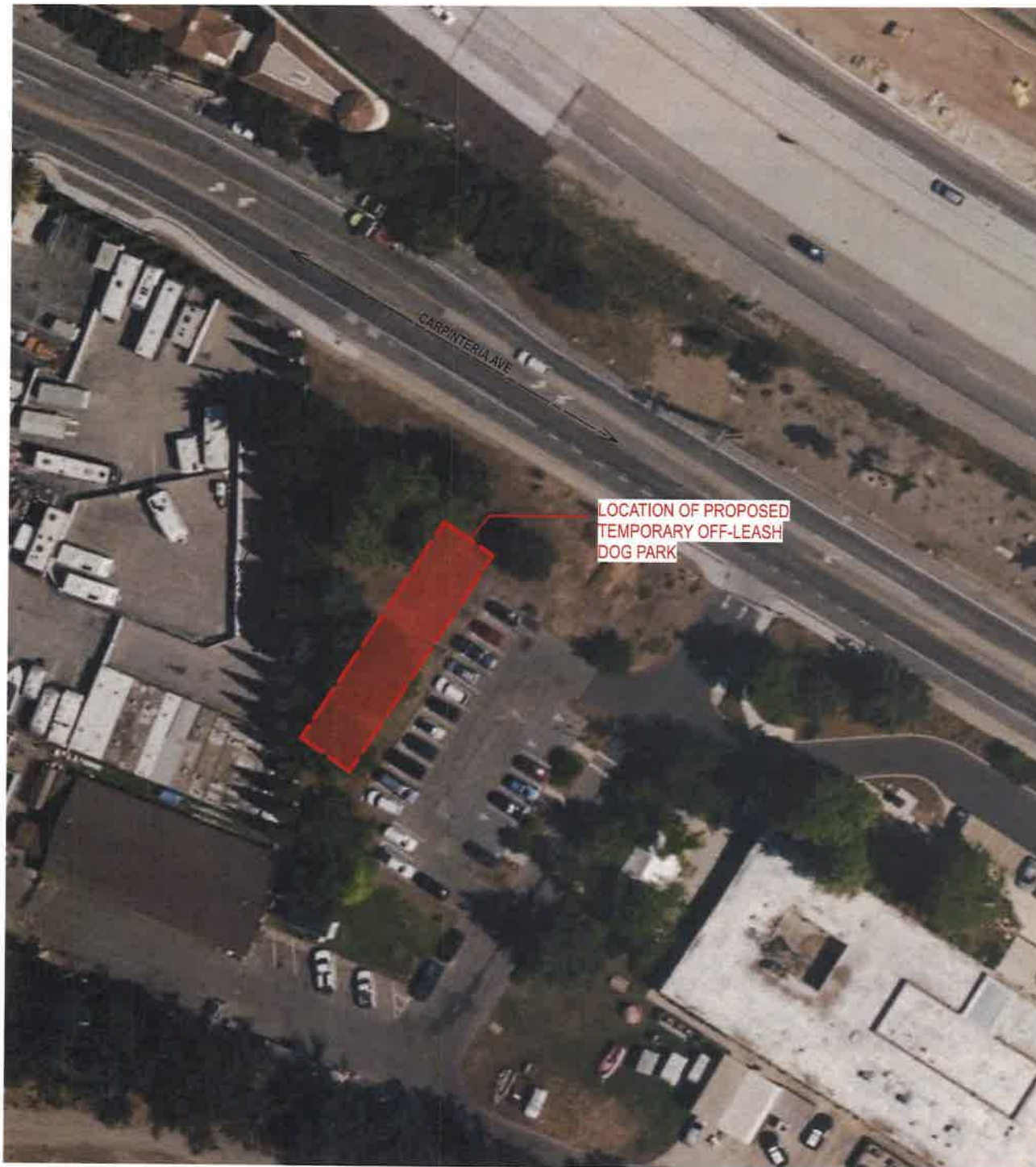


CITY HALL

RADIUS OF 1 MILE

Site Photos





LOCATION #3

CITY HALL

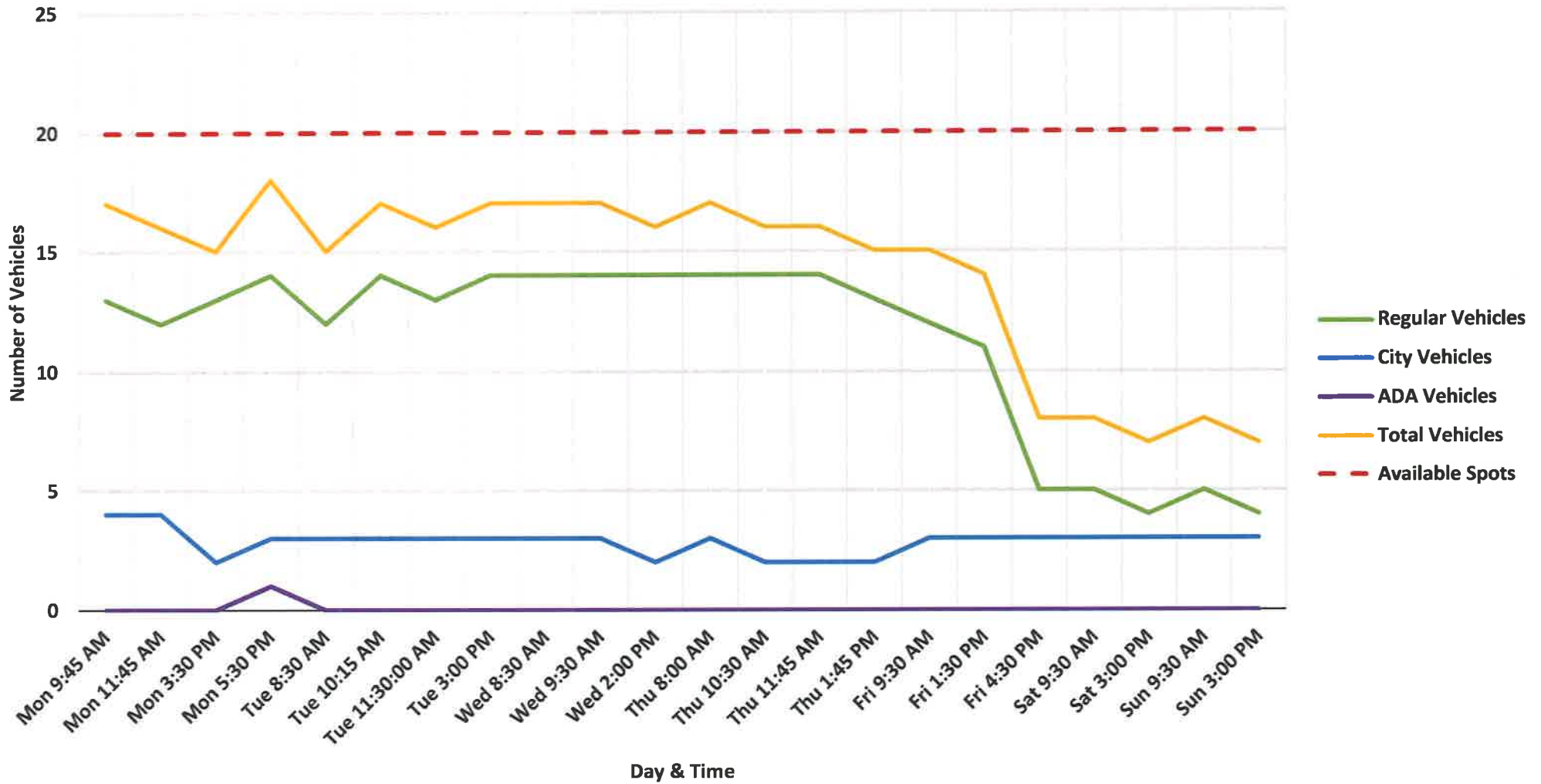
Site Photos



Site Photos

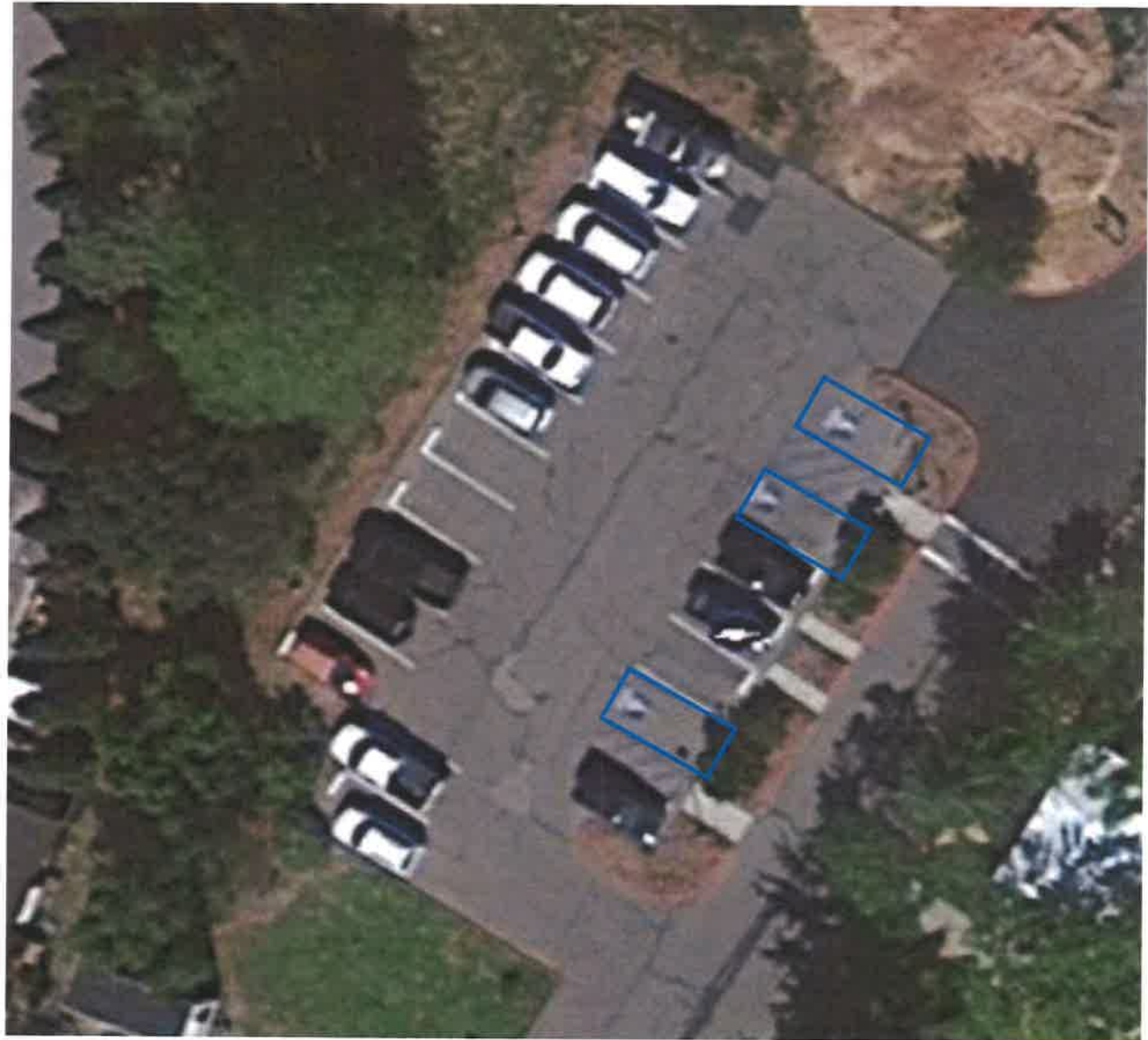


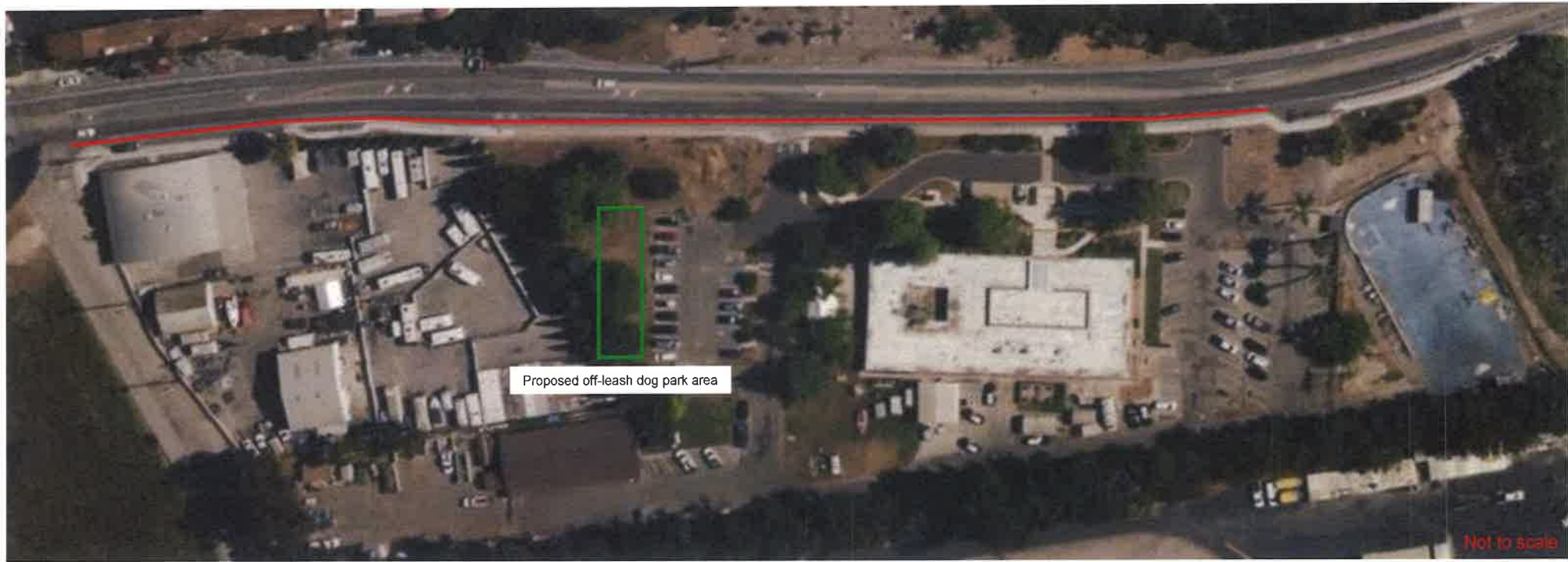
City Hall West Parking Lot Vehicle Count (January 8th - 14th)



City Hall

- ADA parking (see picture)
- On-street parking
 - 460 ft available
 - 23 potential parking spots
 - From skate park to Dump Rd

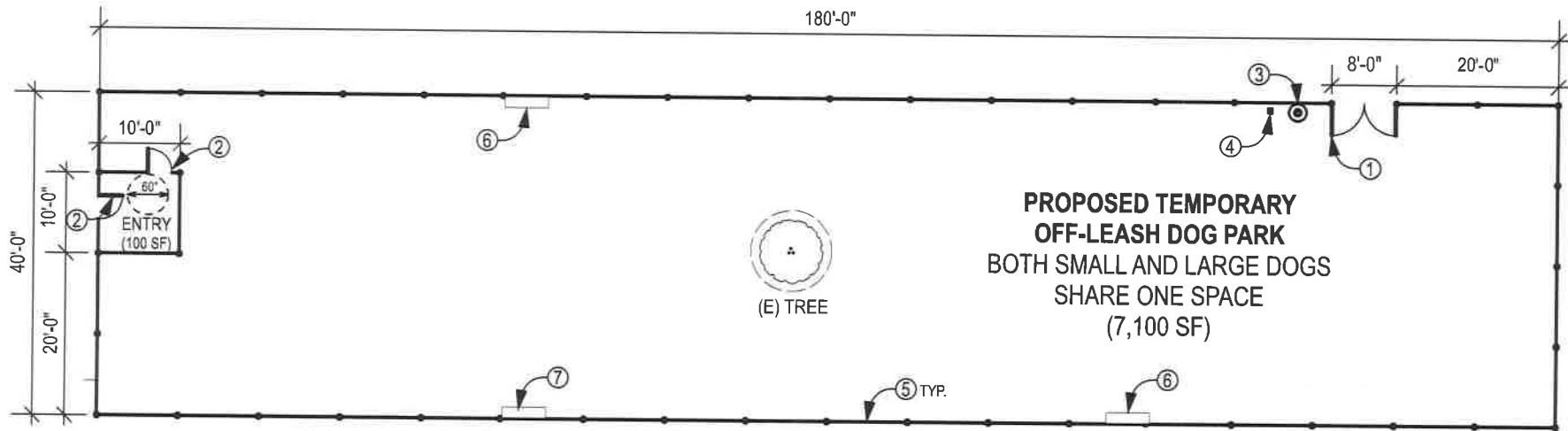




Proposed off-leash dog park area

Not to scale

Attachment E
Dog Park Design

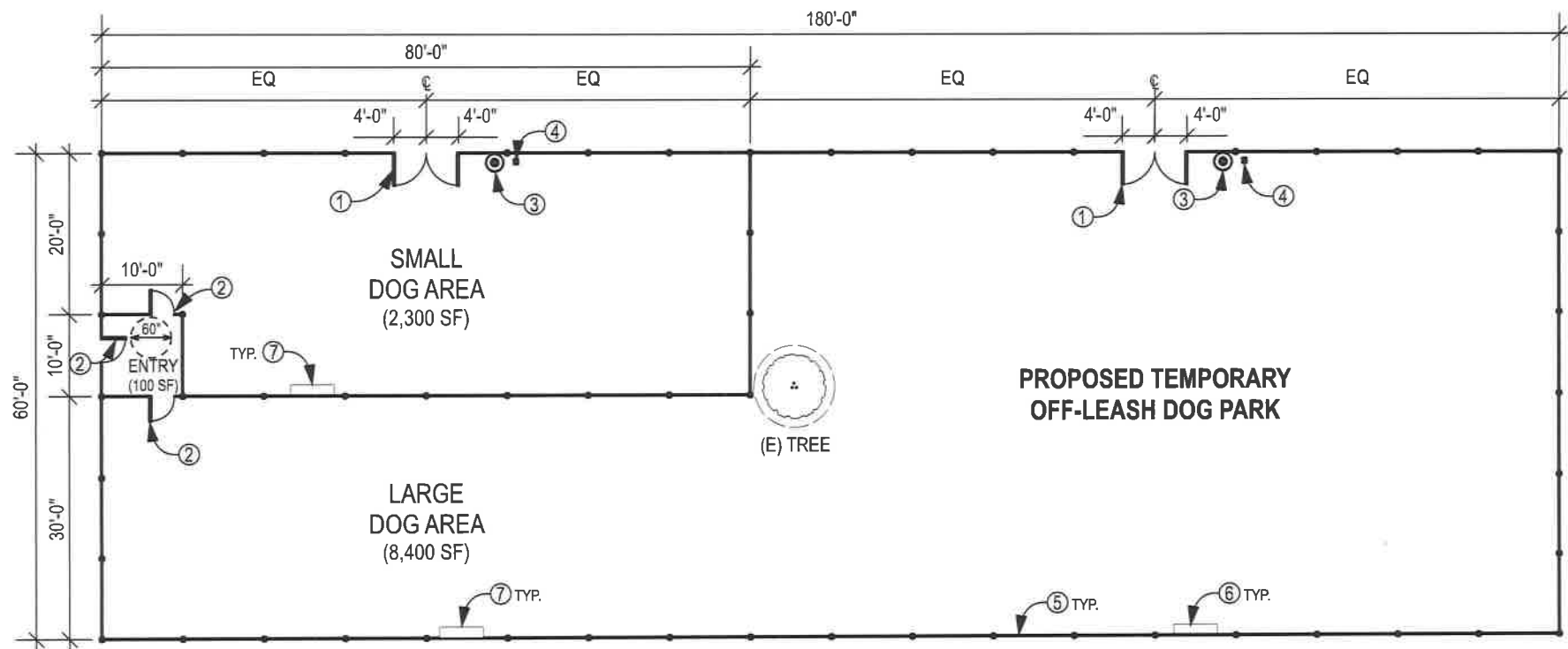


FENCE PLAN

Scale: 1" = 20'-0"

KEYNOTES

- | | |
|---|---|
| ① 4'-0" X 4'-0" X 6'-0" GATE | ④ PET BAGS- SHALL BE PLACED AT A HEIGHT OF 34" ABOVE GROUND FOR ADA COMPLIANCE. |
| ② 3'-0" X 4'-0" X 6'-0" ADA COMPLIANT GATE | ⑤ 4'-0" X 6'-0" TALL CHAIN LINK FENCE |
| ③ URBAN RENAISSANCE LITTER & RECYCLING RECEPTACLE.
MODEL: FORMS+SURFACES, SLURB-36TO, COLOR: CARPINTERIA GREEN | ⑥ 50-INCH SLATTED OUTDOOR PARK BENCH. MODEL: STYLE SELECTIONS HPGF88870, COLOR: BLACK |
| | ⑦ 72-INCH ADA COMPLIANT BENCH. MODEL: PILOT ROCK B42C-6, COLOR: BROWN |

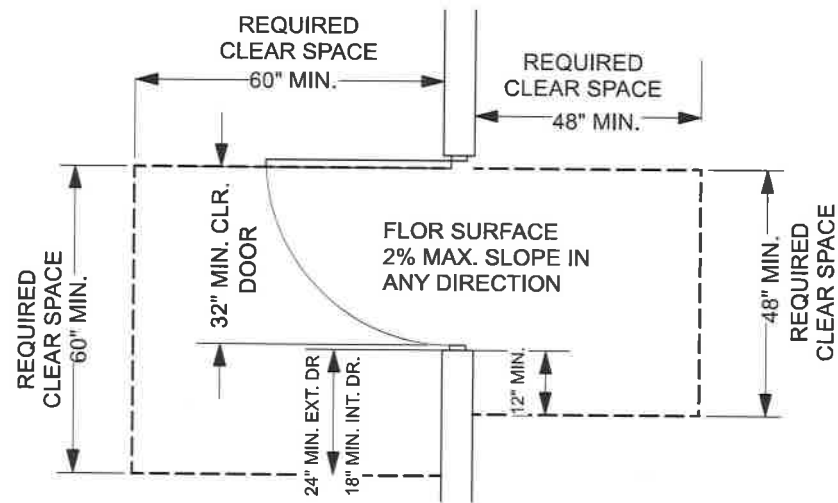


FENCE PLAN

Scale: 1" = 20'-0"

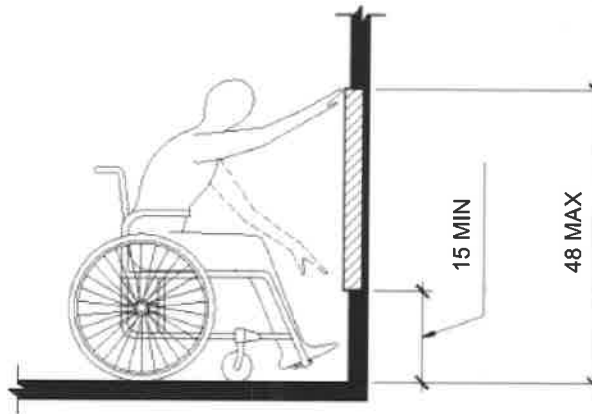
KEYNOTES

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|--|---|
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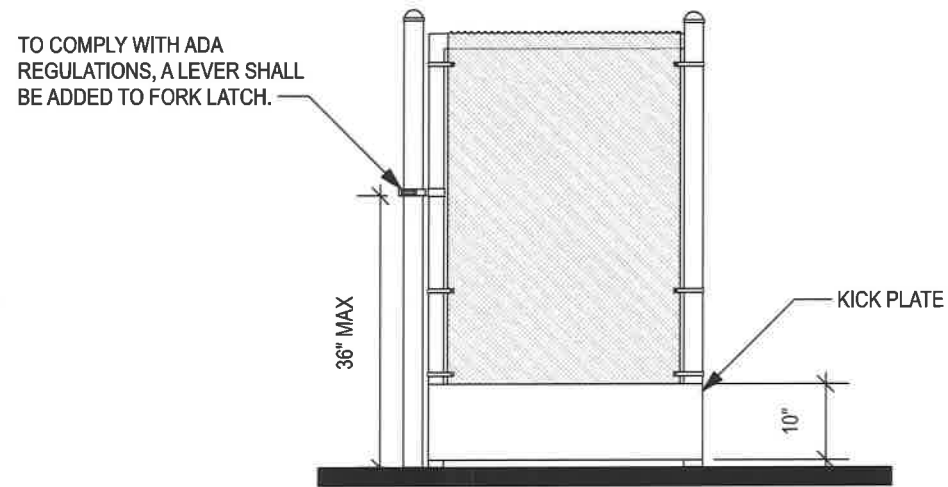
1 ACCESSIBLE DOOR CLEARANCES

Scale: 1/2" = 1'-0"



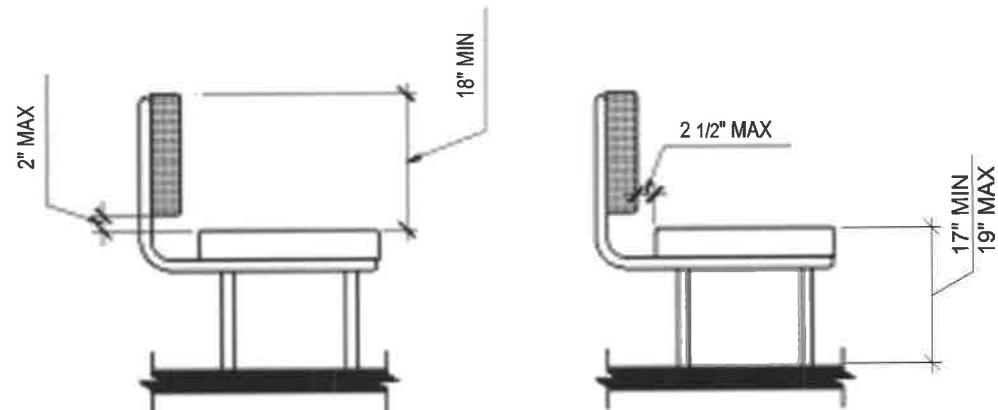
2 ACCESSIBLE FORWARD AND SIDE REACH

Scale: 1/2" = 1'-0"



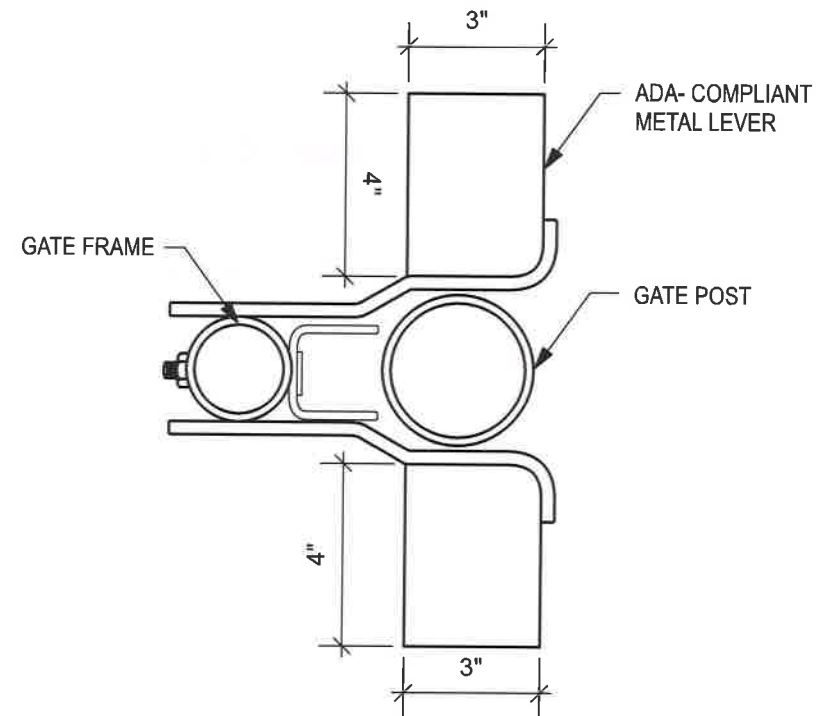
3 ACCESSIBLE GATE

Scale: 1/2" = 1'-0"



4 ACCESSIBLE BENCH

Scale: 1/2" = 1'-0"



1010.2.2 HARDWARE

DOOR HANDLES, PULLS, LATCHES, LOCKS AND OTHER OPERATING DEVICES ON DOORS REQUIRED TO BE ACCESSIBLE BY CHAPTER 11A OR 11B SHALL NOT REQUIRE TIGHT GRASPING, TIGHT PINCHING OR TWISTING OF THE WRIST TO OPERATE.







Attachment F
Monte Vista Park Location & Rendering



MONTE VISTA PARK

RADIUS OF 1 MILE

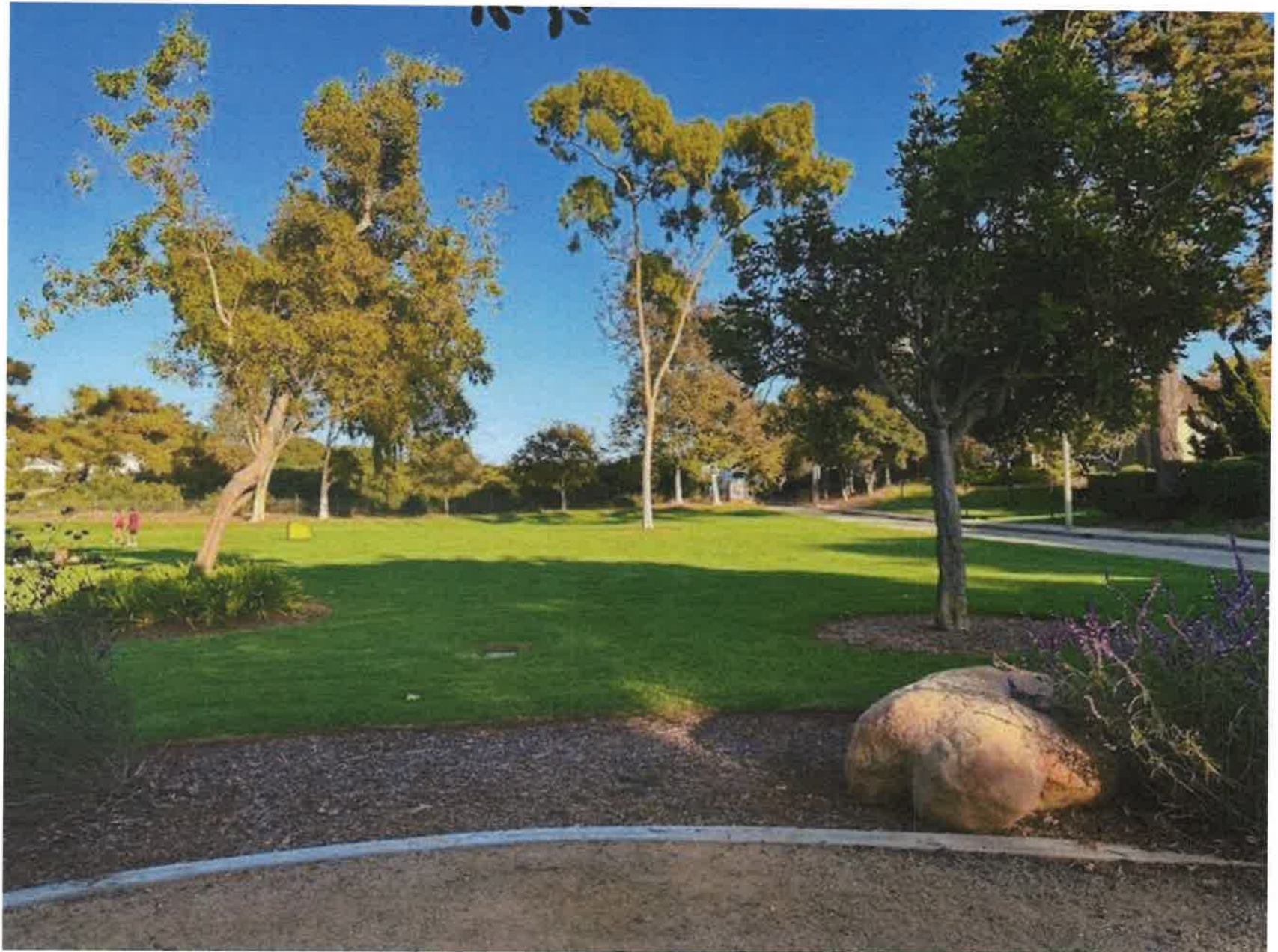
MONTE VISTA LOCATION
& RENDERING



**MONTE VISTA LOCATION
& RENDERING**



**MONTE VISTA LOCATION
& RENDERING**



MONTE VISTA PARK



1 DECCOMPOSED GRANITE



2 EXISTING GRASS



3 BENCH

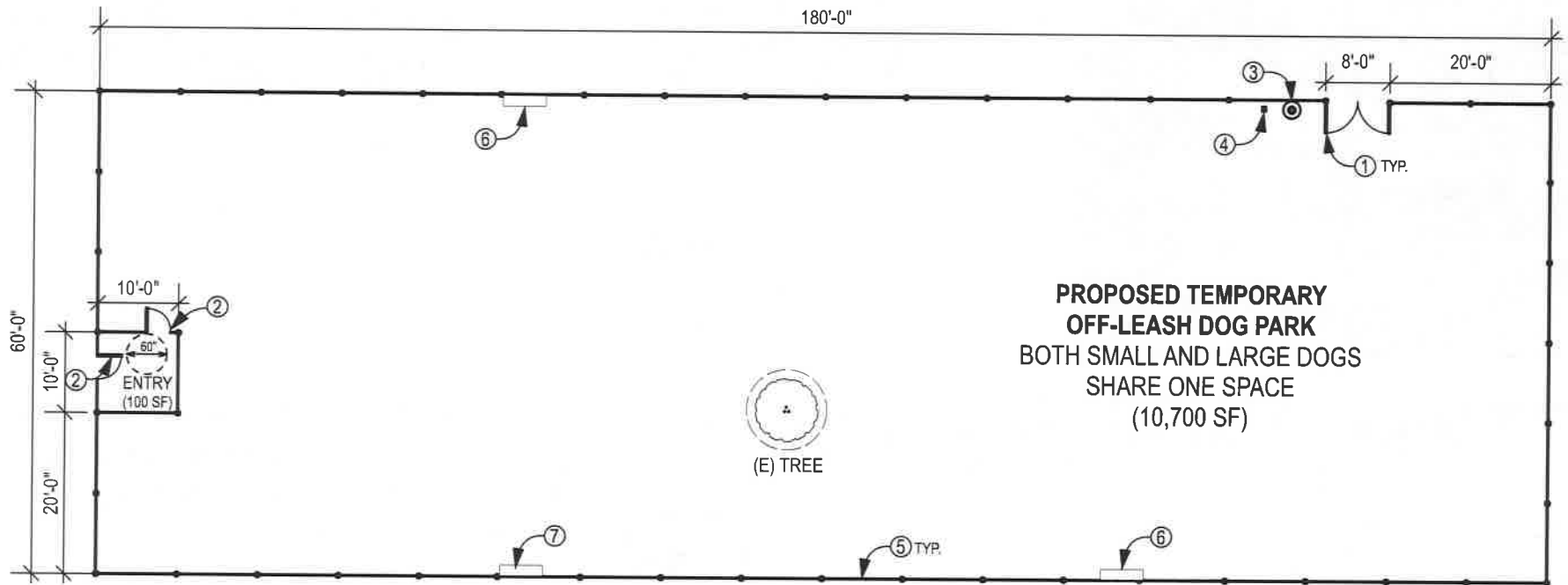


4 ADA COMPLIANT BENCH



5 PET BAGS

6 LITTER/RECYCLING BIN

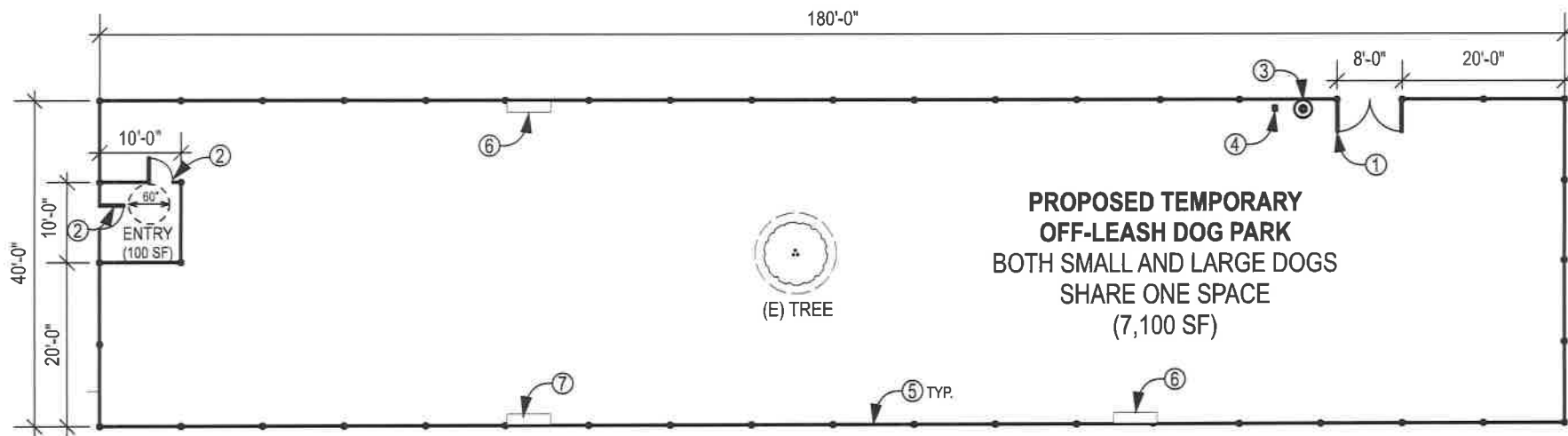


FENCE PLAN

Scale: 1" = 20'-0"

KEYNOTES

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|--|---|
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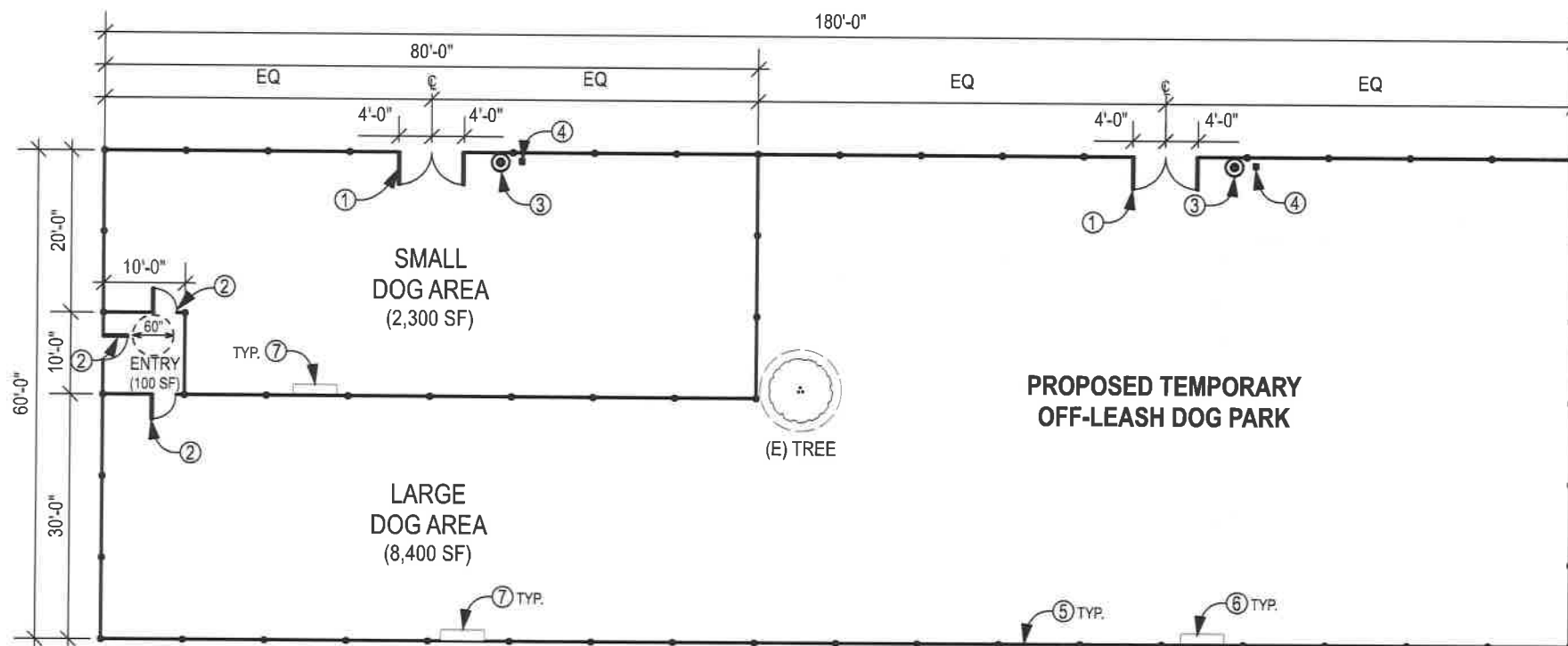


FENCE PLAN

Scale: 1" = 20'-0"

KEYNOTES

- | | |
|---|---|
| ① 4'-0" X 4'-0"/6'-0" GATE | ④ PET BAGS- SHALL BE PLACED AT A HEIGHT OF 34" ABOVE GROUND FOR ADA COMPLIANCE. |
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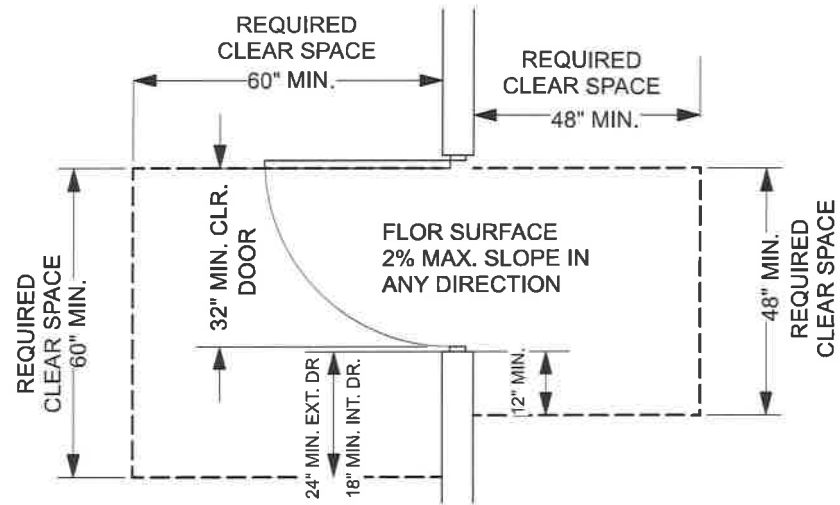


FENCE PLAN

Scale: 1" = 20'-0"

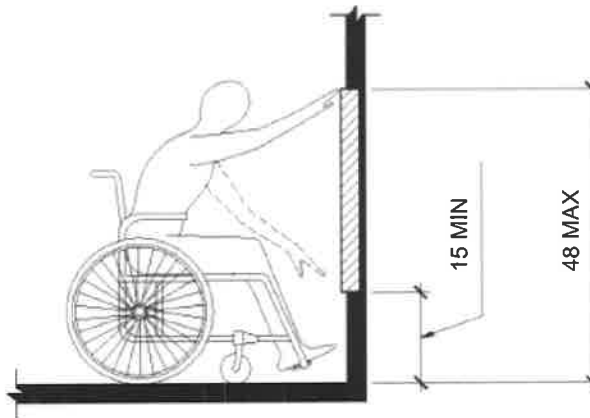
KEYNOTES

- | | |
|---|---|
| <p>① 4'-0" X 4'-0"/6'-0" GATE</p> <p>② 3'-0" X 4'-0"/6'-0" ADA COMPLIANT GATE</p> <p>③ URBAN RENAISSANCE LITTER & RECYCLING RECEPTACLE. MODEL: FORMS+SURFACES, SLURB-36TO, COLOR: CARPINTERIA GREEN</p> | <p>④ PET BAGS- SHALL BE PLACED AT A HEIGHT OF 34" ABOVE GROUND FOR ADA COMPLIANCE.</p> <p>⑤ 4'-0"/6'-0" TALL CHAIN LINK FENCE</p> <p>⑥ 50-INCH SLATTED OUTDOOR PARK BENCH. MODEL: STYLE SELECTIONS HPGF88870, COLOR: BLACK</p> <p>⑦ 72-INCH ADA COMPLIANT BENCH. MODEL: PILOT ROCK B42C-6, COLOR: BROWN</p> |
|---|---|



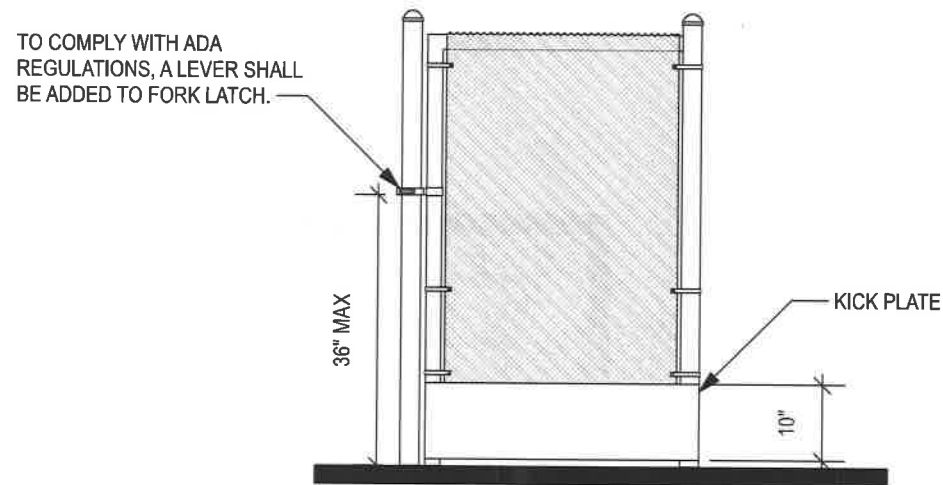
1 ACCESSIBLE DOOR CLEARANCES

Scale: 1/2" = 1'-0"



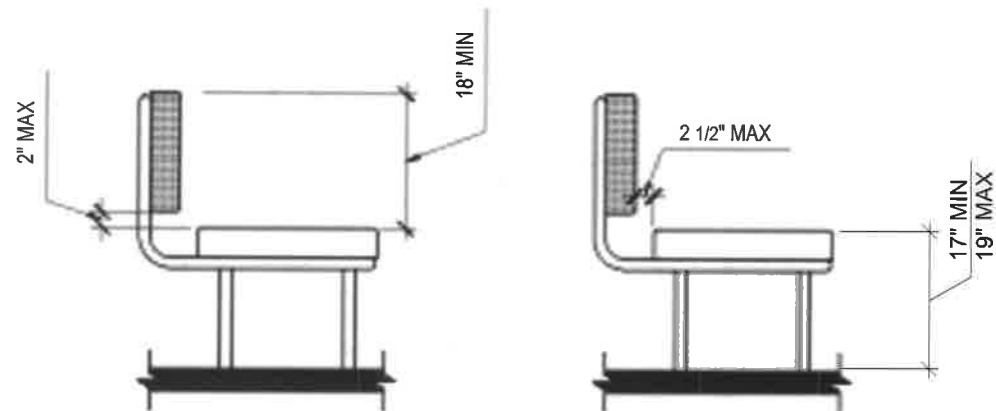
2 ACCESSIBLE FORWARD AND SIDE REACH

Scale: 1/2" = 1'-0"



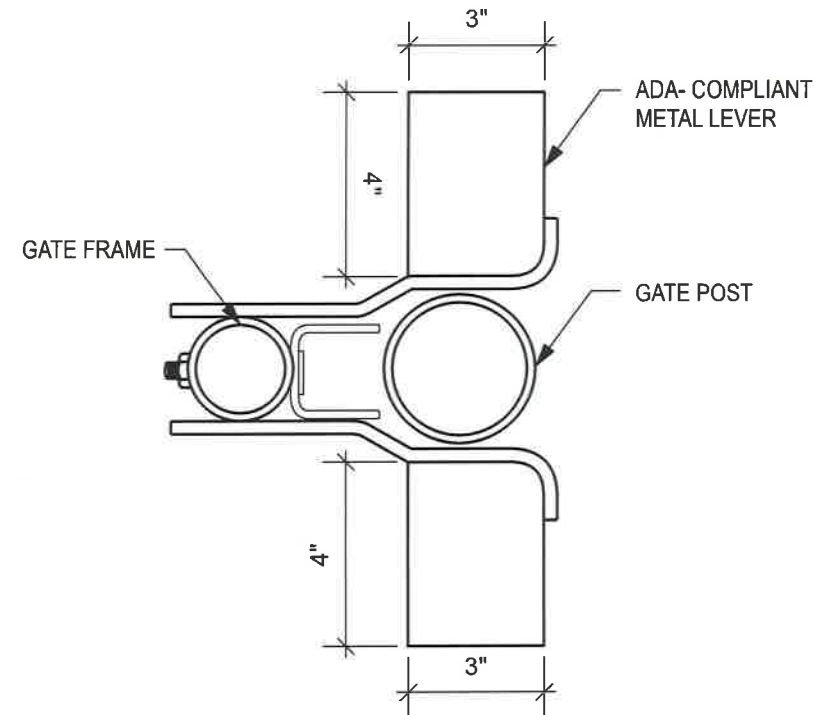
3 ACCESSIBLE GATE

Scale: 1/2" = 1'-0"



4 ACCESSIBLE BENCH

Scale: 1/2" = 1'-0"



1010.2.2 HARDWARE

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**MONTE VISTA LOCATION
& RENDERING**

OFF-LEASH DOG PARK DESIGN





Attachment G
PC Approval Letter 11/15/23
TUP Monte Vista Fenced Dog Park

CITY of CARPINTERIA, CALIFORNIA



November 15, 2023

Aida Thau, Management Analyst II
City of Carpinteria Parks, Recreation & Community Services Department
5775 Carpinteria Avenue
Carpinteria, CA 93013

Re: Notification of Planning Commission Action
Monte Vista Fenced Off-leash Dog Park Pilot Project; Project 23-2261-TUP
Monte Vista Park (APN 001-080-038)

Dear Ms. Thau:

On November 6, 2023, the Planning Commission took action on the following item:

Temporary Use Permit: The City of Carpinteria Parks, Recreation, and Community Services Department is requesting a Temporary Use Permit (TUP) to allow a fenced off-leash dog park to be temporarily located within the southeast corner of Monte Vista Park for up to one year. The dog park would function as a pilot program to judge the feasibility and success of an off-leash dog park within the City.

The dog park would be approximately 160 feet long by 90 feet wide, totaling approximately 14,400 square feet in area. The dog park would be enclosed by 500 linear feet of 4-foot-tall minimum height black chain link fencing. Fence posts would be affixed by concrete bases set into the ground to ensure stability over the one-year period. A pedestrian and dog entrance/exit point would be located on the western side of the dog park, adjacent to the existing park trail for easy access and consisting of two consecutive gates with an enclosed space in between to prevent off-leash dogs from escaping. A double-wide locked maintenance gate would be located on the northern side to facilitate the mowing vehicles to enter the premises to maintain the lawn inside the dog park. Benches would be placed intermittently along the interior of the fence. A dog waste station providing waste bags and trash cans would also be placed within the dog park to ensure all dog owners are adequately able to clean up after their pets.

Other than the fencing and dog park amenities proposed above, no alterations or modifications to the existing Monte Vista Park are proposed.

The Planning Commission approved the Temporary Use Permit with the following revisions and additions to the Conditions of Approval:

5775 CARPINTERIA AVENUE • CARPINTERIA, CA 93013-2603 (805) 684-5405 • FAX (805) 684-5304 www.carpinteria.ca.us

Condition No. 2 is revised to read: The final design details of the dog park shall be subject to the review and approval of the City Council and/or the City Manager or his/her designee. Design details may include, but are not limited to, final dimensions, location, fence height, number and location of entrances, and signage/trash receptacle locations.

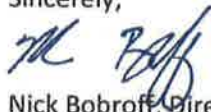
The following Condition was added:

3. The applicant shall return to the Planning Commission no later than six months after the use commences to review compliance with the Conditions of Approval and evaluate the benefits and/or impacts of the pilot program. At that time, and as warranted, the Commission may modify or amend the Conditions of Approval if the project is found to not be in compliance with the approved conditions, or if the pilot program is found to be creating public nuisance impacts for surrounding uses. If, in the opinion of the Planning Commission, the negative impacts of the pilot program cannot be suitably addressed through modified or amended conditions of approval, the Commission reserves the right to revoke the TUP for the dog park pilot program.

This decision to approve the project is appealable to the City Council. The appeal period is ten days commencing on November 7, 2023 and ending on November 16, 2023 at 5:00 p.m.

Conditions of Approval for the project are attached to this letter for your records. A separate copy of the last page of the Conditions of Approval is also attached. Please sign and return this page to the Community Development Department. Should you have any questions or need further information regarding this action letter or the project, please contact Megan Musolf at (805) 755-4438 or by email: meganm@carpinteriaca.gov.

Sincerely,



Nick Bobroff, Director

Community Development Department

Attachment: Planning Commission Resolution with Attachments

cc: Aida Thau, Parks, Recreation & Community Services Department
IDAG members
Project file, 23-2261-TUP

RESOLUTION NO. PC-23-009

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
CARPINTERIA APPROVING TEMPORARY USE PERMIT 23-2261-TUP FOR A
YEAR-LONG PILOT PROGRAM FOR A FENCED OFF-LEASH DOG PARK,
LOCATED AT MONTE VISTA PARK (APN 001-080-038), REQUESTED BY THE CITY
OF CARPINTERIA PARKS, RECREATION, AND COMMUNITY SERVICES
DEPARTMENT.**

WHEREAS, the Planning Commission of the City of Carpinteria has considered an application for a Temporary Use Permit filed by the Parks, Recreation, and Community Services Department (PR&CS) on October 13, 2023 to allow a year-long pilot program for a fenced off-leash dog park at Monte Vista Park; and

WHEREAS, the application was subsequently deemed complete and accepted by the City as being consistent with the applicable submittal requirements on October 13, 2023; and

WHEREAS, the City Council of the City of Carpinteria has previously directed PR&CS staff to pursue a fenced off-leash dog park at Monte Vista Park; and

WHEREAS, the Planning Commission has conducted a public hearing and received evidence regarding the application for a Temporary Use Permit; and

WHEREAS, the project is categorically exempt from the California Environmental Quality Act (CEQA) under Guidelines Sections 15303 and 15304 as the project includes only temporary fencing and minor related amenities and would leave no permanent effects on the existing land; and

WHEREAS, the Planning Commission has reviewed the policies of the General Plan/Coastal Plan and the Zoning Code standards that are relevant to the project.

NOW, THEREFORE, THE PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

1. The Temporary Use Permit is approved, making the findings outlined in Exhibit 1.
2. The Temporary Use Permit for the project shown in Exhibit 2 is approved subject to the conditions set forth in Exhibit 3.

PASSED, APPROVED AND ADOPTED this 6th day of November 2023 by the following vote:

AYES: Commissioners: Benefield, Moyer and Salant

NOES: Commissioner(s): La Fevers

ABSENT: Commissioner(s): Allen

ABSTAIN: Commissioner(s): None


Jane L. Benefield, Chair

Attest: 
Nick Bobroff, Secretary

I hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the Planning Commission of the City of Carpinteria held the 6th day of November 2023.



**CITY OF CARPINTERIA
TEMPORARY USE PERMIT**

**Monte Vista Fenced Off-leash Dog Park Pilot Project
Case 23-2261-TUP
Monte Vista Park
(APN 001-080-038)**

FINDINGS OF APPROVAL

Prior to approving this Temporary Use Permit, the City of Carpinteria Planning Commission has made the following determinations:

1. The proposed temporary use will be compatible with adjacent uses and will not adversely affect the surrounding neighborhood by means of odor, noise, dust, or other nuisance;
2. Additional parking required by the temporary use is provided onsite and on-street parking is available in the surrounding neighborhood;
3. Increased traffic caused by the temporary use will not adversely affect the surrounding neighborhood or City at large;
4. The proposed temporary use is consistent with all applicable provisions of the Coastal Land Use Plan, General Plan, Municipal Code, and other City regulations.

CONDITIONS OF APPROVAL

The Conditions set forth in this permit affect the title and possession of the real property that is the subject of this permit and shall run with the real property or any portion thereof. All the terms, covenants, conditions, and restrictions herein imposed shall be binding upon and inure to the benefit of the owner (applicant, developer), his or her heirs, administrators, executors, successors and assigns. Upon any sale, division or lease of real property, all the conditions of this permit shall apply separately to each portion of the real property and the owner (applicant, developer) and/or possessor of any such portion shall succeed to and be bound by the obligations imposed on the owner (applicant, developer) by this permit.

COMMUNITY DEVELOPMENT DEPARTMENT

1. This Temporary Use Permit (TUP) approval is restricted to APN 001-080-038, known as Monte Vista Park, and is for a year-long pilot program, from the date that the off-leash dog park becomes operational, for an off-leash dog park (hereby referred to as "off-leash area" or "dog park") located in the southeast portion of the parcel.
2. The final design details of the dog park shall be subject to the review and approval of the City Council and/or the City Manager or his/her designee. Design details may include, but are not limited to, final dimensions, location, fence height, number and location of entrances, and signage/trash receptacle locations.

3. The applicant shall return to the Planning Commission no later than six months after the use commences to review compliance with the Conditions of Approval and evaluate the benefits and/or impacts of the pilot program. At that time, and as warranted, the Commission may modify or amend the Conditions of Approval if the project is found to not be in compliance with the approved conditions, or if the pilot program is found to be creating public nuisance impacts for surrounding uses. If, in the opinion of the Planning Commission, the negative impacts of the pilot program cannot be suitably addressed through modified or amended conditions of approval, the Commission reserves the right to revoke the TUP for the dog park pilot program.
4. Dogs shall be allowed off-leash only within the designated fenced area of Monte Vista Park. For the duration of the pilot program the area shall be designated for dogs to exercise and socialize while off leash, under the supervision of dog owners or dog handlers.
5. All other programs, uses, and facilities at Monte Vista Park shall continue to operate as usual and in a manner in compliance with CMC Chapter 14.38 – REC RECREATIONAL DISTRICT.
6. The fence shall be properly maintained and promptly repaired upon damage. Fencing shall not exceed 500 linear feet or enclose an area larger than approximately 14,400 square feet in area. The overall size and location of the fenced off-leash area shall be substantially in compliance with the approved project description and exhibits.
7. No dogs shall be allowed off-leash in Monte Vista Park until installation of the fence and gates has been completed and the off-leash dog area becomes operational.
8. The number of dogs a single person may bring into the off-leash area under his or her supervision shall be limited to a maximum of three (3) dogs.
9. Hours of operation for the off-leash area shall be restricted to 7:30 a.m. until 30 minutes after sunset.
10. C-DOG members are encouraged to be present on a regular basis at the dog park to collect and provide PR&CS with usage data at regular intervals. C-DOG leadership shall encourage its members to provide an example of compliant and considerate behavior at all times in and around the off-leash area.
11. C-DOG and PR&CS should promote alternative methods of transportation to dog park users, such as bicycling, walking, and carpooling, in order to mitigate traffic and parking demand at Monte Vista Park and the surrounding neighborhood.
12. The rules for the off-leash area shall include, at minimum, the following:
 - a. Owners are legally responsible for the behavior of their dog(s). Use of the off-leash area is at your own risk. Dogs must be leashed while entering and exiting the off-leash area. Dogs must remain leashed at all times when outside of the off-leash area. Dogs must be licensed and up to date on vaccinations.

- b. Leaving dogs unattended is prohibited.
 - c. Owners/handlers must be within the off-leash area and supervising their dogs at all times with a leash readily available.
 - d. Limit of three (3) dogs maximum per handler.
 - e. Dogs must wear a collar with identification at all times while in the off-leash area.
 - f. Owners/handlers must clean up after their dog(s) immediately.
 - g. Dogs in heat and puppies under four (4) months of age are prohibited.
 - h. Aggressive dogs must be muzzled or removed.
 - i. Children under age 13 must be supervised by an adult at all times.
 - j. Young children must be closely supervised
13. Signs shall be posted at a minimum of four (4) locations along the perimeter of the dog park, with one at each entrance and exit. Signage shall include the hours which the off-leash area is open, the rules for the dog park, and the phone number for Carpinteria Code Compliance. Signage shall be maintained throughout the duration of the pilot program and shall be printed in a clear, legible font.
14. At least one trash receptacle shall be kept within the dog park and serviced on the same schedule as other trash receptacles in Monte Vista Park.
15. Upon conclusion of the pilot program, PR&CS shall be responsible for removing all fencing and other temporary amenities for the dog park such as benches and dog waste stations from Monte Vista Park, and restoring the area to its pre-dog park condition.
16. The conditions of this approval supercede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans as they pertain to the Temporary Use Permit.
17. All requirements of the City of Carpinteria and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met.
18. The owner/applicant/developer ("Owner") hereby agrees to defend, indemnify and hold harmless the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any claim, action or proceeding ("Claims") against the City and the City's Agents to attack, review, set aside, void or annul, in whole or in part, the City's approval of the Temporary Use Permit (the "Project"), or any condition attached thereto, or any proceedings, acts or determinations taken, done or made prior to the approval that were part of the approval process. Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorneys' fees or court costs made in connection with any Claim. Owner further agrees to pay any and all City costs, permit fees, attorneys' fees, engineering fees, license fees and taxes arising out of or concerning the Project, whether incurred prior to or subsequent to the date of approval and that the City's costs shall be reimbursed prior to this approval becoming valid. These commitments of defense and indemnification are material conditions of the approval of the Project. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to

independently defend a Claim, the City and the City's Agents shall bear their own attorneys' fees, expenses and costs of that independent defense.

19. Any proposed amendment to the approved project description or Temporary Use Permit application must be first reviewed and approved by the City. Minor amendments may be approved by the City Manager or Community Development Director. Major amendments or revisions will require review and approval by the Planning Commission.
20. In the event PR&CS wishes to extend the temporary pilot program for the off-leash area beyond the permitted one-year term, PR&CS shall apply for a new Temporary Use Permit and return to the Planning Commission for reauthorization. Should PR&CS seek to make the off-leash area permanent, an application for a development plan shall be submitted and reviewed pursuant to CMC Chapter 14.68.
21. If, at any time, the City determines that there has been, or may be, a violation of the findings or conditions of this TUP, or of the Municipal Code regulations, a public hearing may be held before the Planning Commission to review this permit. At said hearing, the Planning Commission may add additional conditions, or recommend enforcement actions, or revoke the permit entirely, as necessary to ensure compliance with the Municipal Code, and to provide for the health, safety, and general welfare of the City.
22. This permit shall not be effective until a copy of the Conditions of Approval has been officially executed by PR&CS and filed with the Community Development Department. Acknowledgement of understanding conditions and agreement to comply shall be documented by supplying the City with a signed copy of the Conditions.

I HAVE READ AND UNDERSTOOD, AND I WILL COMPLY
WITH ALL ABOVE STATED CONDITIONS OF THIS PERMIT


Applicant

11/20/23
Date

Attachments: Temporary Use Permit application and attachments dated October 13, 2023

Attachment H
Ancillary Costs

MONTE VISTA PARK
TEMPORARY OFF-LEASH DOG PARK
ANCILLARY COSTS

Temporary Activation	Monte Vista
Fencing	\$5,550.00
ADA Bench (2 benches for small & large area \$743/unit)	\$1,486.00
Regular benches (2 benches per site \$200 per unit)	\$400.00
Trash can	\$800.00
Shipping & Taxes	\$686.00
Doggie bag dispenser	\$200.00
Preparation for ADA path/access	\$1,300.00
ADA portable restroom with sink	\$0.00
15% Contingency	\$1,563.00
Total Costs per Location	\$11,985.00



City of Carpinteria

COUNCIL AGENDA STAFF REPORT February 12, 2024

ITEM FOR COUNCIL CONSIDERATION

Approve the first reading of Ordinance No. 777, an Ordinance of the City Council of the City of Carpinteria, amending Carpinteria Municipal Code Section 2.52 pertaining to abandoned and unattended personal property.

STAFF RECOMMENDATION

1. Approve the first reading of Ordinance No. 777, amending CMC Section 2.52, as read by title only.
2. Find that approval and adoption of Ordinance No. 777 is exempt from 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 a roll call vote.)

Sample Motion: I move to (1) approve the first reading of Ordinance No. 777, amending CMC Section 2.52, as read by title only; and (2) find that approval and adoption of Ordinance No. 777 is exempt from CEQA pursuant to Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3) of the CEQA Guidelines.

BACKGROUND

The City of Carpinteria ("City") currently prohibits the storage of personal property on public property and allows the City to remove any abandoned property, place it in storage, and then sell or destroy the property. This regulation is set forth in Carpinteria Municipal Code ("CMC") Section 2.52 (the "Abandoned and Unattended Personal Property Regulations").

Recent case law, including *Lavan v. City of Los Angeles* ("Lavan"), has determined that the removal and immediate destruction of a person's unattended property may violate the provisions of the United States Constitution that protect against unreasonable searches and seizures and require due process.

In response to *Lavan*, the City of Los Angeles established a process to be used prior to removing or destroying personal property left on sidewalks through a 2015 amendment to its municipal code. The process in Los Angeles includes providing notice to the owner prior to removal and storing the property for a designated period of time prior to disposing of it.

Ordinances like the one adopted in Los Angeles, following the decision in *Lavan*, have been considered and generally upheld by district courts as constitutional. (See, e.g. *Mitchell v. City of Los Angeles* (C.D. Cal. 2016) 2016 WL 11519288, citing with approval *De-Occupy Honolulu v. City and County of Honolulu* (D. Hawaii 2013) 2013 WL 2285100.)

The City has not updated its Abandoned and Unattended Personal Property Regulations since these recent judicial decisions were published, and the current version of the Abandoned and Unattended Personal Property Regulations does not include the specific processes and notice required by recent case law. The amendments proposed in Ordinance No. 777 are intended to bring the CMC into better alignment with these decisions and to increase the City's ability to legally enforce its Abandoned and Unattended Personal Property Regulations.

DISCUSSION

The purpose of this agenda matter is for the City Council to consider approving a first reading of Ordinance No. 777, which updates the City's Abandoned and Unattended Personal Property Regulations to better align with recent case law. Specifically, Ordinance No. 777 amends CMC Section 2.52 such that (i) abandoned personal property and personal property that is a threat to health and safety or criminal in nature may be immediately removed and disposed of by City staff while (ii) unattended personal property may only be removed in accordance with certain due process procedures (including providing pre and post-removal notice and storing the property for 90 days), subject to exceptions where compliance with the due process procedures is not feasible due to the nature of the property or other unique circumstances. The proposed amendments to the Abandoned and Unattended Personal Property Regulations are necessary to bring the CMC into alignment with recent case law.

If Ordinance No. 777 is adopted after its second reading, staff intends to implement an Administrative Policy for Clean-Up of Abandoned and Unattended Personal Property ("Policy"), as well as form Pre- and Post-Removal Notices and a Personal Property Claim Form, to align staff's enforcement actions with the amended CMC. These documents will assist both City staff and other enforcement personnel with understanding the status and limitations of recent case law and how these decisions impact their ability to enforce the City's Abandoned and Unattended Personal Property Regulations. Drafts of these documents are attached for the City Council's reference.

POLICY CONSIDERATIONS

The proposed ordinance amending the Abandoned and Unattended Personal Property Regulations is consistent with the City aligning the CMC and City policies and procedures with changes in the law.

Further, updating the Abandoned and Unclaimed Personal Property Regulations is part of the City's response to homelessness and is thus consistent with the City's interest in promoting public health and safety and with Resolution No. 6038, concerning the Community Action Plan to Address Homelessness in Santa Barbara County, which includes the following strategies:

1. Increase Access to Safe, Affordable Housing
2. Use Best Practices to Deliver Tailored Supportive Services to Meet Individual Needs
3. Build a Collective Action Plan; Improve Data Sharing
4. Strengthen Support Systems Available to Help Residents Obtain and Maintain Housing
5. Build Provider Capacity to Address the Needs of Specific Populations.

FINANCIAL CONSIDERATIONS

There are no direct financial considerations related to this item.

ENVIRONMENTAL CONSIDERATIONS

Ordinance No. 777 is exempt from review under CEQA in accordance with CEQA Guidelines section 15060(c)(2), which applies where an activity will not result in a direct or reasonably foreseeable indirect physical change in the environment; section 15060(c)(3), which applies where an activity is not a "project" as defined in section 15378 of the CEQA Guidelines; and section 15061(b)(3), which applies where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

Since *Lavan*, the enforcement of ordinances and regulations like the City's Abandoned and Unattended Personal Property Regulations has become an evolving area of law. The City is aware of various ongoing litigation matters in other jurisdictions in which such jurisdiction's ordinances are being challenged or scrutinized. Given the evolving nature, there is some risk that the law could be further refined or modified by the courts such that the City's Abandoned and Unattended Personal Property Regulations, as amended by Ordinance No. 777, become outdated. Regardless, the proposed amendments are necessary to better align the CMC with the current law in this area (e.g., *Lavan*). There may be a need for additional amendments in the future as this area of law continues to progress. Any amendments to the CMC would be brought to the City Council for consideration; however, the City Manager may independently update the Policy and

related documents to quickly respond to changes to the law, mitigating risks arising from the City's regulations and policies becoming outdated.

OPTIONS

1. Approve the first reading of Ordinance No. 777.
2. Direct staff to make changes to Ordinance No. 777.
3. Take no action on the draft legislation and direct staff as determined appropriate.

PRINCIPAL PARTIES EXPECTED AT MEETINGS

There are no principal parties expected at the meeting.

ATTACHMENTS

Attachment A	Ordinance No. 777
Attachment B	Administrative Policy for Enforcement of Abandoned and Unattended Personal Property Regulations
Attachment C	Pre-Removal Notice
Attachment D	Post-Removal Notice
Attachment E	Personal Property Claim Form

Staff Contact: Nick Bobroff, Community Development Director
(805) 755-4407 / nickb@carpinteriaca.gov


Signature

Reviewed by: Michael Ramirez, City Manager
(805) 755-4400, michaelr@carpinteria.gov


Signature

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


Signature

ATTACHMENT A

ORDINANCE NO. 777

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA, AMENDING CHAPTER 2.52 OF THE CARPINTERIA MUNICIPAL CODE PERTAINING TO ABANDONED AND UNATTENDED PERSONAL PROPERTY

WHEREAS, within the City of Carpinteria (“City”) and other cities in the surrounding region, and throughout the State of California, there is a significant number of people experiencing homelessness;

WHEREAS, persons experiencing homelessness (and occasionally persons not experiencing homelessness) sometimes store personal items on public or private property, particularly if they have no other place to store it;

WHEREAS, storage of items in undesignated places can create unsanitary, unhealthy, disorderly, and dangerous conditions that may affect both the individuals and the general public;

WHEREAS, the Legislature of the State of California has, in Government Code sections 65302, 65560, and 65800, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry;

WHEREAS, in accordance with Government Code sections 65302, 65560, and 65800, the City currently allows immediate removal and sale of individual items pursuant to Carpinteria Municipal Code (“CMC”) Chapter 2.52;

WHEREAS, recently, various courts have analyzed enforcement of local agency regulations similar to those codified in CMC Chapter 2.52 and have held that enforcement of such regulations without providing due process to the owner of the personal property may constitute a violation of the Fourth Amendment to the U.S. Constitution’s prohibition on unreasonable searches and seizures;

WHEREAS, notwithstanding the recent case law, there are situations where abandoned or unclaimed property may create a substantial danger or risk of harm that requires immediate removal of the personal property without following due process procedures in order to prevent substantial harm to individuals, the health and/or safety of the public, and/or the City’s vital government services. For example, open food items left on public property can attract vermin, which in turn can result in substantial adverse public health and safety impacts, including injuries to persons and property;

WHEREAS, the City, in consultation with legal counsel, has determined that CMC Chapter 2.52 require updates in order to better align with recent case law. However, it is critical that the City still be able to quickly remove encampments and personal items that endanger human lives, public health and safety, and vital government services;

WHEREAS, this Ordinance would require that the City comply with certain due process procedures when removing and disposing of personal property, but expressly acknowledges that

minimized due process procedures may be needed in some situations in order to promote public health, safety, and welfare;

WHEREAS, it has been determined that amending the CMC as provided for in this Ordinance is within the City's best interest; and

WHEREAS, the City acknowledges that homelessness continues to remain a dynamic and evolving issue within the City and the surrounding region that requires coordinated efforts by the City, the County of Santa Barbara, the State of California, the Federal Government, and regional partners.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CARPINTERIA DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals Incorporated.

The above recitals are incorporated herein and are each relied upon independently by the City Council in its adoption of this Ordinance.

SECTION 2. Amendment of Chapter 2.52 of the Carpinteria Municipal Code.

Chapter 2.52 of the CMC is hereby amended to read as set forth in Exhibit A, the text and strikeout of which is attached hereto as Exhibit B.

SECTION 3. Effective Date.

This Ordinance shall be in full force and effect thirty days following the second reading of the Ordinance. Before the expiration of fifteen (15) days following passage, this Ordinance shall be published once with the names of the members of the City Council voting for and against the same in the Coastal View News, a newspaper of general circulation, published in the City.

SECTION 4. 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 decision 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 5. CEQA Exemption.

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Title 14 of the California Code of Regulations, CEQA Guidelines sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), 15060(c)(3) (the activity is not a "project" as defined in section 15378), and 15061(b)(3) (the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment; where it can be seen with certainty that there is no possibility that the activity in

question may have a significant effect on the environment, the activity is not subject to CEQA). The Ordinance generally prevents changes in the environment and thus has no potential for resulting in physical change to the environment, either directly or indirectly.

SECTION 6. Publication.

The City Clerk shall certify as to the passage of this Ordinance and cause the same to be published and posted in the manner prescribed by California law.

PASSED, APPROVED, AND ADOPTED this _____, 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, 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 this [date].

Brian C. Barrett, CMC City Clerk
City of Carpinteria

APPROVED AS TO FORM:

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

EXHIBIT A
Chapter 2.52

[Starts on next page]

Chapter 2.52 UNATTENDED AND ABANDONED PERSONAL PROPERTY

2.52.010 Definitions.

- A. "Personal property" means movable, tangible items or things.
- B. Personal property that is a "threat to health/safety or criminal" means personal property that poses a threat to health and safety or is contraband/evidence of a crime (such as drug paraphernalia).
- C. "Abandoned personal property" means personal property that, based on the totality of the circumstances, a reasonable person would believe has been abandoned by its owner. Personal property belonging to a homeless person is generally not abandoned personal property.
- D. "Unattended personal property" means personal property that, based on the totality of the circumstances, a reasonable person would believe has been left unattended by its owner but is not abandoned.

2.52.020 Storage Prohibited.

It is unlawful to store personal property on public property.

2.52.030 Abatement Process.

- A. Abandoned personal property and personal property that is a threat to health/safety or criminal may be immediately removed and disposed of by enforcement officers.
- B. Subject to Section C below, unattended personal property may only be removed in accordance with the following procedures:
 - 1. Post pre-removal notice 72 hours prior to removal.
 - 2. Post post-removal notice notifying the reader of how to collect removed items.
 - 3. Hold property for 90 days.
- C. If City staff reasonably determines that compliance with the pre-removal notification requirement set forth in Subsection B.1 is not feasible given the nature of the property, staff shall follow the other aspects of the Abatement Process (e.g., post-removal notice and 90-day storage) to the extent reasonably possible. If City staff reasonably determines that compliance with both the notification requirements set forth in Subsections B.1 and B.2 are not feasible given the nature of the property, staff shall follow the procedures for summary abatement set forth in Chapter 1.06.
- D. After holding personal property for the requisite time period, the city manager or authorized designee may sell or otherwise dispose of such property, including via a public auction held in accordance with California Civil Code § 2080 et seq.

2.52.040 Exception to Enforcement.

Notwithstanding anything to the contrary in Chapter 1.08 or elsewhere in this Code, enforcement officers shall not issue a citation or otherwise pursue prosecution to enforce unauthorized storage of personal property in violation of Section 2.52.020 when the violator is a homeless person, provided that personal property belonging to such persons may still be removed in accordance with the abatement process set forth above.

EXHIBIT B
Chapter 2.52

[Starts on next page]

Chapter 2.52 ~~UNCLAIMED~~ UNATTENDED AND ABANDONED PERSONAL PROPERTY¹

2.52.010 Definitions.

- D. ~~2.52.010~~ "Personal property—Storage and care by police department" means movable, tangible items or things.
- E. Personal property that is a "threat to health/safety or criminal" means personal property that poses a threat to health and safety or is contraband/evidence of a crime (such as drug paraphernalia).
- F. "Abandoned personal property" means personal property that, based on the totality of the circumstances, a reasonable person would believe has been abandoned by its owner. Personal property belonging to a homeless person is generally not abandoned personal property.
- D. "Unattended personal property" means personal property that, based on the totality of the circumstances, a reasonable person would believe has been left unattended by its owner but is not abandoned.

~~The police department may take into its possession and care for any abandoned bicycle, tricycle, gocart or other personal property left upon a public alley, street or place and is authorized to place the same in storage and to take any and all steps necessary to properly care for such property. Upon taking possession of such property, the police department shall give notice thereof to the owner if such owner can be ascertained by a reasonable investigation.~~

~~{Prior code § 3601(a)}~~

2.52.020 Unclaimed property—Sale authorized—Disposition Storage Prohibited.

- ~~A. Whenever any property of any kind or nature comes into the possession of the police department and is unclaimed for the following specified periods, the property shall be sold or disposed of by the city manager or designee unless the owner, in the meantime, has claimed such property.~~
- ~~B. Such unclaimed property in the possession of the police department shall be held for a period of at least three months during which time the police department shall try to ascertain the owner thereof. If such owner can be found or ascertained, such property shall be restored to such owner and the owner shall at that time pay any reasonable storage charges that may be required.~~

It is unlawful to store personal property on public property.

2.52.030 Abatement Process.

- E. Abandoned personal property and personal property that is a threat to health/safety or criminal may be immediately removed and disposed of by enforcement officers.

¹~~For statutory provisions on lost and unclaimed property, see Civil Code § 2080 et seq.~~

F. Subject to Section C below, unattended personal property may only be removed in accordance with the following procedures:

1. Post pre-removal notice 72 hours prior to removal.
2. Post post-removal notice notifying the reader of how to collect removed items.
3. Hold property for 90 days.

G. If City staff reasonably determines that compliance with the pre-removal notification requirement set forth in Subsection B.1 is not feasible given the nature of the property, staff shall follow the other aspects of the Abatement Process (e.g., post-removal notice and 90-day storage) to the extent reasonably possible. If City staff reasonably determines that compliance with both the notification requirements set forth in Subsections B.1 and B.2 are not feasible given the nature of the property, staff shall follow the procedures for summary abatement set forth in Chapter 1.06.

H. ~~C.~~ After holding ~~such personal~~ property for ~~a period of three months, in the event any such property is unclaimed or unredeemed by the owner~~ the requisite time period, the city manager or authorized designee ~~shall~~ may sell or otherwise dispose of such property, ~~and the whole thereof, at including via a public auction to the highest bidder~~ held in accordance with California Civil Code § 2080 et seq.

- ~~D. The owner of such property, or any part thereof, who may establish ownership thereof, may reclaim and redeem the property or any part thereof, at any time prior to its actual sale.~~
- ~~E. The only exception to the above any perishable or nauseating property which may be destroyed as soon as possible.~~
- ~~F. Notice of such sale shall be given by the city manager or authorized designee at least five days before the time fixed therefor by publication once in a newspaper of general circulation published in the city. Any property remaining unsold after being offered at such public auction may be destroyed or otherwise disposed of by the city.~~
- ~~G. If the city determines that any such property transferred to it for sale is needed for a public use, such property may be retained by the city and need not be sold.~~

~~{Ord. 541 § 1 (part), 1998; Ord. 247 § 9, 1978; prior code § 3600}~~

~~2.52.030 Confiscated weapons and narcotics—Disposition.~~

~~Weapons used in the commission of a crime and all confiscated weapons may not be sold at auction or released but must be destroyed according to law. Narcotics must also be disposed of as required by law.~~

~~{Prior code § 3601(b)}~~

2.52.040 ~~Found property—Return to finder~~Exception to Enforcement.

Notwithstanding anything to the contrary in Chapter 1.08 or elsewhere in this Code, enforcement officers shall not issue a citation or otherwise pursue prosecution to enforce unauthorized storage of personal property in violation of Section 2.52.020 when the violator is a homeless person, provided that personal property belonging to such persons may still be removed in accordance with the abatement process set forth above.

- ~~A. The provisions of California Civil Code Sections 2080, 2080.1 and 2080.2 shall apply to found property, the finder and restoration to owner procedures.~~
- ~~B. In the event no owner of found property whose reported value is two hundred and fifty dollars or more appears within three months of the date such property is turned over to the police department, the city manager shall cause a notice of the property to be published at least once in a newspaper of general circulation within the city. If after seven days of the publication of such notice, no owner appears and proves his ownership of the property and the person who found or saved the property pays the cost of the publication, the title shall vest in the person who found or saved the property unless the property was found in the course of employment by an employee of any public agency in which case the property shall be sold pursuant to Section 2.52.020.~~
- ~~C. If the reported value of the property is less than two hundred and fifty dollars and no owner appears and proves ownership of the property within three months, the title shall vest in the person who found or saved the property, unless the property was found in the course of employment by an employee of any public agency, in which case the property shall be sold pursuant to Section 2.52.020.~~

~~{Ord. 541 § 1 (part), 1998; Ord. 314 § 1, 1981}~~

ATTACHMENT B



CITY OF CARPINTERIA ADMINISTRATIVE POLICY

ADMINISTRATIVE POLICY FOR CLEAN UP OF ABANDONED AND UNATTENDED PERSONAL PROPERTY (CMC 2.52)

PURPOSE AND AUTHORITY

The purpose of this policy is to provide City Staff and the Sheriff's Office with information regarding the City's interpretation of what constitutes permissible methods and procedures of "cleaning up" abandoned and unattended personal property in the City. Such property typically constitutes a public nuisance and the "cleaning up" of such property is governed by City Municipal Code ("CMC") 1.06, CMC 2.52, and this policy, all of which address the rules and guidance set forth in recent judicial decisions.

In *Lavan v. City of Los Angeles* ((9th Cir. 2012) 693 F.3d 1022), the court held that the removal and immediate destruction of a person's unattended property violates the provisions of the United States Constitution that protect against unreasonable searches and seizures and require due process. The City of Los Angeles amended its municipal code in 2015 in response to the decision in *Lavan* and established a process to be used prior to removing or destroying personal property left on sidewalks. The process includes providing notice to the owner prior to removal and storing the property for a designated period of time prior to disposing of it.

The district courts that have considered ordinances like that adopted by Los Angeles following the decision in *Lavan* have generally upheld such ordinances as constitutional. (See, e.g., *Mitchell v. City of Los Angeles* (C.D. Cal. 2016) 2016 WL 11519288, citing with approval *De-Occupy Honolulu v. City and County of Honolulu* (D. Hawaii 2013) 2013 WL 2285100.)

CLEAN-UP POLICY

The City's policy on "cleaning up" personal property is set forth below.

1. Categorize the property

- a. Threat to health/safety (including most food items), criminal: Property that poses an immediate threat to health and safety or is contraband/evidence of a crime (such as drug paraphernalia) may be removed and disposed of immediately (subject to the limitations herein). Food items may pose a threat to health and safety if storing the item is likely to attract vermin or create obnoxious smells, among other reasons (however, see also Section 1(c) below). Property blocking

the public right of way and/or blocking access to public facilities may also pose a threat to health and safety (however, again, see also Section 1(c) below). Certain sensitive items (e.g., weapons, high-value items likely to have been stolen, etc.) may not be appropriate for typical disposal and may instead require consultation with the Sheriff's Office or other law enforcement agencies. Use your discretion in handling sensitive items.

- b. Abandoned: Property that a reasonable person would believe has been abandoned by its owner may be removed and disposed of immediately. However, be careful to consider whether the owner may be homeless, and, in such case, whether the owner intended to abandon the property or simply had nowhere else to store it. In determining whether property is abandoned, enforcement personnel shall err on the side of caution and shall evaluate the facts and circumstances surrounding the item(s), including whether the personal property is unattended and whether the overall circumstances objectively indicate signs of abandonment. Examples of objective signs of abandonment include, but are not limited to, items located in gutters, placed adjacent to trash receptacles, an empty and/or broken tent sitting by itself on a sidewalk with no other belongings, or a bag of clothes that is open and strewn across a sidewalk.
- c. Unattended: Property that a reasonable person would believe has been left unattended by its owner but is not abandoned should be addressed pursuant to the remainder of this policy. Some signs that may indicate personal property is simply "unattended" rather than "abandoned" may include packing, stacking, or organizing of the personal property or the personal property's proximity to camping related supplies. Although many food items may fall into the category of a threat to health/safety, to the extent a food item may be stored for 90 days without issue (e.g., canned goods), such item should be treated as "unattended" property. Additionally, although items blocking the public right of way or public facilities may also fall into the category of a threat to health/safety such that the items can be removed immediately (i.e., no pre-removal notice), such items, if not a threat, should otherwise be treated as "unattended" property (i.e., subject to post-removal and storage procedures).

2. Post a pre-removal notice

- a. Prior to removing personal property, and subject to the exceptions and caveats noted herein, staff should post a notice indicating that the property will be removed if not cleaned up in 72 hours from the date of posting. Staff should take a photo of the posted notice to document that it was posted and shall not remove the personal property until after this 72-hour period.
- b. It is important to provide this notice so that person(s) have the opportunity to gather their belongings and avoid the clean-up.
- c. A copy of the City's template notice used for this purpose is attached as Attachment 1.

3. Remove property

- a. After posting the pre-removal notice and waiting 72 hours, the property may be removed.
- b. Staff should take a photo of the collected property.

4. Post post-removal notice

- a. Upon removal of the personal property and subject to the exceptions and caveats noted herein, staff should post a notice form at the location where the personal property was removed indicating where the personal property is being held. Staff should take a photo of the posted notice to document that it was posted.
- b. A copy of the City's template notice used for this purpose is attached as Attachment 2.

5. Hold property for 90 days

- a. Once removed, the property should be held for a period of 90 days to allow the owner a reasonable time to reclaim it.
- b. Collected personal property is typically held at City Hall.
- c. If the owner does not pick up the property within the 90 day period, the property may be considered abandoned and ready for disposal.

6. Exceptions and Caveats

- a. Staff should use best efforts to post the pre- and post-removal notices discussed above. However, there may be situations where it is impossible to leave such a notice, in which case staff shall follow the process outlined in this Section 6 of the policy.
 - i. For example, staff may encounter items left unattended on a sidewalk that obstruct City operations.
 - ii. Or, staff may encounter items left unattended in an ADA pathway such that they block the pathway and prevent access to it.
- b. Staff should consider the totality of the circumstances in determining whether the items need to be removed without providing notice. The following questions should be considered when assessing the situation:
 - i. Is the owner of the personal property possibly nearby?
 - ii. Can staff monitor the personal property for an hour or two to see if it is collected?
 - iii. Does staff recognize the personal property as belonging to a specific individual who staff can personally notify?
- c. If staff determines that it cannot comply with one aspect of the process set forth above, staff should still comply with the other aspects of the process, to the extent reasonably possible.
 - i. For example, if staff determines that it cannot post a pre-removal notice because the personal property is blocking public right of way and thus

needs to be removed, staff should still comply with the other aspects of the process (i.e., post-removal notice and 90-day storage) to the extent reasonably possible.

- d. If staff determines that personal property must be removed without providing the pre- or post-removal notice, the personal property should still be held for at least 90 days, and staff should follow the procedures set forth in Carpinteria Municipal Code Sections 1.06.310-1.06.360 regarding abatement of public nuisances. Those procedures are briefly summarized below:

- i. If feasible, take an inventory of the personal property. Taking an inventory is more likely to be feasible for large, unique items than small personal items (e.g., papers, clothes). Staff should always take a photo of the personal property.
- ii. Prepare a written report describing the situation, including the reasons why it was not possible to post pre- and post-removal notices and why summary abatement was thus required. The City's Code Enforcement Software generally tracks when and where personal property items are collected and can be used to satisfy this requirement.
- iii. File the original copy of the report with the City Clerk. Again, the City's Code Enforcement Software typically serves this purpose as it maintains a copy of the collection information.
- iv. To the extent the owner of the property is identifiable, serve notice of the summary abatement on said owner.
- v. If staff becomes aware of a person who is looking for their collected belongings, ask the person to fill out a property claims report (Attachment 3) and then compare the items described in that report to the items being held by the City.

7. Interplay with Camping Regulations (CMC 8.20 and 12.24)

- a. It is important to note that regulations regarding collection and disposal of personal property often end up impacting homeless persons.
- b. To the extent this is the case, please be mindful of the City's regulations regarding camping (CMC 8.20 and 12.24) and the City's administrative policy regarding enforcement of such regulations against homeless persons.

POLICY FOR NON-DISCRIMINATORY ENFORCEMENT

City staff and law enforcement personnel shall treat all persons equally, regardless of their economic or living conditions. All persons have the right to use the public streets, parks, beaches and facilities so long as they are not engaged in specific activity that violates state or local laws. Factors such as race, sex, sexual preference, age, dress, unusual or disheveled or impoverished appearance do not alone justify enforcement action. Nor can generalized complaints by residents or merchants or others justify detention or citation of any person absent individualized suspicion or probable cause.

GENERAL NOTES

The law in this area is continually evolving, and we will work to continually update this policy as necessary. Regardless of changes to the law, City staff and the Sheriff's Office should be mindful of the following:

- Act with compassion.
- Aim to connect persons experiencing homelessness with housing and services prior to issuing a citation.
- Cite as a last resort.
- Reach out to the City Manager with questions or suggestions.

QUESTIONS?

If you have any questions regarding this policy, contact the City Manager at MichaelR@carpinteriaca.gov, and please copy the City Program Manager of Emergency Services, Volunteers & Outreach at OliviaU@carpinteriaca.gov.

Policy Approved by _____
Michael Ramirez, City Manager

Date

ATTACHMENT 1
Pre-Removal Notice

[To be attached]

ATTACHMENT 2
Post-Removal Notice

[To be attached]

ATTACHMENT 3
Personal Property Claim Form

[To be attached]

ATTACHMENT C



*****ATTENTION*****

This site is scheduled for cleanup
pursuant to CMC 2.52.

The cleanup is scheduled to occur 72 hours after the posting of this notice. Any items left unattended or stored in the City's right of way will be removed and kept at City Hall. Items not picked up after 90 days will be discarded.

Date and time posted: _____

Posted by (name of officer): _____

Location (where posted): _____

Resources for Persons Experiencing Homelessness:

- If you are in crisis, call 911
- If you are experiencing homelessness or at risk of homelessness, you can connect with the Santa Barbara County Coordinated Entry System
 - Diversion Specialist: 805-270-9581
 - Coordinated Entry System: 805-450-3558
 - <https://www.countyofsb.org/568/Steps-to-Getting-Help>
 - <https://www.countyofsb.org/572/Local-Providers>

(805) 755-4418 * 5775 Carpinteria Ave, Carpinteria

ATTACHMENT D



*****ATTENTION*****

This site was the subject of a cleanup pursuant to CMC 2.52.

Any items left unattended or stored in the City's right of way at the time of the clean-up were be removed and will be kept at City Hall. Items not picked up after 90 days will be discarded.

Date and time posted: _____

Posted by (name of officer): _____

Location (where posted): _____

Resources for Persons Experiencing Homelessness:

- If you are in crisis, call 911
- If you are experiencing homelessness or at risk of homelessness, you can connect with the Santa Barbara County Coordinated Entry System
 - Diversion Specialist: 805-270-9581
 - Coordinated Entry System: 805-450-3558
 - <https://www.countyofsb.org/568/Steps-to-Getting-Help>
 - <https://www.countyofsb.org/572/Local-Providers>

ATTACHMENT E



Property Claim Form

Pursuant to CMC 2.52, the City of Carpinteria removes abandoned and unattended belongings in the City's public right-a-way, parks, beaches, and open spaces. Items will be held for a 90 day period before being discarded. To reclaim items please complete and sign this form. The Code Compliance Department will schedule a date and time when the items may be picked up. There is no fee for reclaiming items.

*** Please note that it may take up to 48 hours to schedule pickups. ***

Name:

Phone Number:

Date:

Signature:

Email:

Date/Location Items Picked Up:

Description of Items:

Office Use Only:

Date Completed Form Turned in: _____ Date Items Picked Up: _____

Form Received by: _____

*** Submit Completed Form to Code Compliance ***



Take Action

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The League of California Cities advocacy efforts are strongest when joined by the voices of city leaders. Gov. Gavin Newsom signed off on the last bills of the 2023-24 legislative session on the Oct. 14 deadline with some big wins for cities. Cal Cities appreciates all the hard work and advocacy efforts by city officials during this legislative session. Visit Cal Cities' online [bill search](#) to view the outcome of specific measures.

AB 817 (Pacheco) Open meetings: teleconferencing

AB 817 would provide a narrow exemption under the Ralph M. Brown Act for non-decision-making legislative bodies to participate in two-way virtual teleconferencing without posting their location. By removing barriers to participate, this bill would improve equity in opportunity to serve locally and representative diversity in leadership can be achieved.

State Ballot Measure Restricting Voters' Input and Local Taxing Authority

The anti-local control California Business Roundtable measure has qualified for the November 2024 ballot. This anti-local control measure will decimate vital local and state services to the benefit of the largest and wealthiest corporations in California. Cal Cities, along with a broad coalition of local governments, labor, public safety, education, and infrastructure advocates, strongly oppose this initiative.

Make sure your city's voice is heard by adopting a resolution opposing the harmful measure. Adopted city resolutions can be sent to BallotMeasures@calcities.org. For information about how the measure could impact your community, contact your local public affairs manager.