

City of Carpinteria
City Council Regular Meeting Agenda
Monday, March 25, 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. Proclamation Designating April 2024 as DMV/Donate Life Month. *(Requires approval prior to presentation of proclamation.)*
2. Proclamation Designating the Week of April 2 – 8, 2024, as “International Dark Sky Week”. *(Requires approval prior to presentation of proclamation.)*
3. Proclamation Designating April 2024 as Carpinteria Business Month. *(Requires approval prior to presentation of proclamation.)*
4. Proclamation Celebrating the 65th Anniversary of the Carpinteria Awards Banquet. *(Requires approval prior to presentation of proclamation.)*

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

PLANNING COMMISSION ACTIONS: NONE

The 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 March 11, 2024 and the special meeting held March 19, 2024.
6. Receive and file the Expenditures for the period beginning March 4, 2024 and ending March 15, 2024.
7. Receive and file the Report of Contracts Executed by the City Manager for the Period of February 20, 2024 through March 18, 2024.
8. Receive and file the Monthly Treasurer's Report on Compliance with Statement of Safekeeping and Investment of Public Funds for February 2024.
9. Adopt Resolution No. 6296, as read by title only, directing the City Manager to prepare an assessment report for the consideration of continuing Street Lighting District No. 1 for the Fiscal Year 2024-25.
10. Adopt Resolution No. 6297, as read by title only, ordering the preparation of a report describing the financial status of the District and recommending assessments for Fiscal Year 2024-25 for Carpinteria Lighting, Landscaping and Right of Way Improvement District No. 3.
11. Adopt Resolution No. 6298, ordering a report by the Downtown "T" Business Advisory Board for the purpose of continuing assessments for the Carpinteria Parking and Business Improvement Area Assessment District No. 4 for Fiscal Year 2024-25.
12. Adopt Resolution No. 6299, as read by title only, ordering the preparation of a report describing the Winter Protection Berm Program and associated assessment

and continue the Winter Protection Berm Assessment District No. 5 for Fiscal Year 2024-25.

ADMINISTRATIVE MATTERS:

13. Adoption of Resolution No. 6300, Approving Appointments to, and a Removal from, the Downtown "T" Business Advisory Board.

Recommendation: Adopt Resolution No. 6300, approving appointments to, and a removal from, the Downtown "T" Business Advisory Board.

Staff Presenter: Stephon Downes, Management Analyst I

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

14. Approval of the Agreement between the City of Carpinteria and The South Coast Community Media Access Center (CMAC dba TV Santa Barbara).

Recommendation: Approve the Agreement between the City of Carpinteria and The South Coast Community Media Access Center. *(This motion requires a roll call vote.)*

Staff Presenter: Brian C. Barrett, City Clerk

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

15. Amendment to the City's CalPERS Contract.

Recommendation: (1) Adopt Resolution No. 6301, Resolution of Intention and (2) Approve Ordinance No. 779, as read by title only (first reading). *(Require reading of ordinance title and a roll call vote.)*

Staff Presenter: Teresa Ilasin, Management Analyst II

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

PUBLIC HEARING: NONE

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:

16. Receive an update on the City's Live Entertainment Licensing program and provide direction to staff on revisions to the Live Entertainment Licensing program.

Recommendation: Receive an update on the status of the City's Live Entertainment Licensing program, receive public comment, and provide direction to staff on revisions to the Live Entertainment Licensing program.

Staff Presenter: Nick Bobroff, Community Development Director

- 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 Review 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 April 8, 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, March 21, 2024, in the City Clerk's Office, on the City Hall Public Notices Board, and on the Internet.



**A PROCLAMATION OF THE CARPINTERIA
CITY COUNCIL DESIGNATING
APRIL 2024 AS DMV/DONATE
LIFE MONTH**

WHEREAS, organ, eye, tissue, marrow, and blood donation are life-giving acts recognized worldwide as expressions of compassion to those in need; and

WHEREAS, more than 110,000 individuals nationwide and more than 23,000 in California are currently on the national organ transplant waiting list, and on average, 22 people die each day while waiting; and

WHEREAS, the need for donated organs is especially urgent in Hispanic, Latino, and African American communities; and

WHEREAS, a single individual's donation of the heart, lungs, liver, kidneys, pancreas, and small intestine can save up to eight lives; and

WHEREAS, donation of tissue can save and heal the lives of more than 75 others; and

WHEREAS, organ donors saved more than 46,000 lives last year, the most ever; and

WHEREAS, any person can register to be an organ, eye, and tissue donor regardless of age or medical conditions; and

WHEREAS, being a registered donor does not impact the quality of life-saving medical care a person receives in an emergency; and

WHEREAS, California residents can sign up to be an organ, eye, and tissue donor when applying for or renewing their driver's licenses or ID cards at the California Department of Motor Vehicles; and

WHEREAS, California residents can sign up with the Donate Life California Donor Registry online at any time by visiting www.donateLIFecalifornia.org or, for Spanish-speakers, www.doneVIDAcalifornia.org; and

WHEREAS, California residents can sign up to be an organ, eye, and tissue donor when applying for or renewing their driver's licenses or ID cards at the California Department of Motor Vehicles; and

WHEREAS, California residents interested in saving a life through living kidney donation may visit www.LivingDonationCalifornia.org.

NOW, THEREFORE BE IT RESOLVED that in recognition of National Donate Life Month, April 2024 is hereby designated as "**DMV/Donate Life Month**" in the City of Carpinteria and in doing so we encourage all California to check "YES!" online, or when applying for or renewing their driver's license or I.D. card at the DMV.

IN WITNESS THEREOF, The Mayor hereunto set their hand and caused the official seal of the City of Carpinteria, California, to be affixed this 25th day of March, 2024.

ATTEST:

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



Al Clark, Mayor
City of Carpinteria



**PROCLAMATION
A PROCLAMATION OF THE CITY COUNCIL
OF THE CITY OF CARPINTERIA
DESIGNATING THE WEEK OF APRIL 2-8, 2024,
AS "INTERNATIONAL DARK SKY WEEK"**

WHEREAS, the aesthetic beauty and wonder of a star-filled night sky are the shared heritage of all humankind, and the natural beauty of Carpinteria, including star-filled skies, is valued by residents and visitors alike; and

WHEREAS, the experience of standing beneath a starry night sky inspires feelings of wonder and awe, and fosters a growing interest in science and nature, especially among young people within the Carpinteria community; and

WHEREAS, per DarkSky International, light pollution not only impacts the ability to see stars, but has scientifically-established economic and environmental consequences, which result in significant impacts to the ecology and human health of all communities, including Carpinteria; and

WHEREAS, DarkSky International estimates light pollution represents a waste of natural resources amounting to at least \$3.3 billion and the release of 21 million tons of carbon dioxide per year in the United States; and

WHEREAS, Carpinteria's natural places are impacted by light pollution that affects nocturnal animals and overall ecosystem health, especially in the local habitats of the Carpinteria Salt Marsh, Carpinteria Bluffs, local creeks, and nearby foothills; and

WHEREAS, reducing light pollution involves making better use of outdoor lighting to direct light down to where it is needed instead of upward into the sky, and using outdoor lighting only when and where necessary; and

WHEREAS, DarkSky International, headquartered in the United States, is the globally-recognized authority on light pollution, and has created International Dark Sky Week to raise awareness of light pollution, and provide free education, resources, and solutions to encourage the protection of and enjoyment of dark skies and to encourage responsible outdoor lighting; and

WHEREAS, the City's General Plan/Local Coastal Land Use Plan ensures that lighting of new development minimizes light pollution and the potential impacts to habitat for development adjacent to environmentally sensitive habitat areas; and

WHEREAS, the City's General Plan/Local Coastal Land Use Plan encourages the establishment of a "night sky" ordinance that provides standards for the reduction of direct and ambient light in the night sky.

NOW, THEREFORE, the City Council of the City of Carpinteria hereby proclaims the **week of April 2-8, 2024** as **"INTERNATIONAL DARK SKY WEEK"** in the City of Carpinteria, and urges residents to learn about night sky friendly lighting, to implement practices and improvements that will reduce light pollution, and to look up and experience the wonder of the star-filled night.

IN WITNESS WHEREOF, the Mayor hereunto set their hand and caused the official seal of the City of Carpinteria, California to be affixed this 25th day of March, 2024.

Al Clark, Mayor
City of Carpinteria

ATTEST:

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





PROCLAMATION

PROCLAMATION OF THE CARPINTERIA CITY COUNCIL DESIGNATING APRIL 2024 AS "CARPINTERIA BUSINESS MONTH"

WHEREAS, the City of Carpinteria supports the success of its local business community and acknowledges their role in generating local tax revenue to support municipal services that enhance the quality of life for Carpinteria residents; and

WHEREAS, local businesses are a vital pillar of the community, providing essential products and services, and contributing to non-profits and volunteer projects through the dedicated efforts of business leaders and employees; and

WHEREAS, local businesses create significant private sector employment opportunities, ensuring the strength and competitiveness of the local workforce; and

WHEREAS, the City of Carpinteria values business community feedback in developing ordinances and policies, ensures business inclusion in City outreach, and provides aid to local businesses as needed; and

WHEREAS, since 1912, a Chamber of Commerce has represented local business interests, helping to building a strong local economy and a positive quality of life; and

WHEREAS, the Santa Barbara South Coast Chamber of Commerce collaborates with the City of Carpinteria to bridge local business needs with City goals, implementing positive economic, business-friendly, and community-oriented public policies.

NOW, THEREFORE, BE IT RESOLVED, that the City of Carpinteria hereby designates April as "Carpinteria Business Month" and encourages all residents to celebrate and support our local businesses.

IN WITNESS THEREOF, the Mayor hereunto set their hand and caused the official seal of the City of Carpinteria, California, to be affixed this 25th day of March, 2024.

Al Clark, Mayor

ATTEST:

Brian C. Barrett, CMC, CPMC
City Clerk





PROCLAMATION

A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA CELEBRATING THE 65TH ANNIVERSARY OF THE CARPINTERIA AWARDS BANQUET

WHEREAS, the first Carpinteria Community Awards Banquet was held in 1958 and was called the "Man of the Year" event, and after several different names over the years it is now known as the annual Carpinteria Community Awards Banquet; and

WHEREAS, this annual event was previously hosted by the Carpinteria Valley Chamber of Commerce, it is now hosted by the newly-formed Carpinteria Community Association, a non-profit organization formed specifically to continue honoring the spirit of Carpinteria; and

WHEREAS, this event has been held in various locations including The Palms, the Carpinteria High School Cafeteria, the Veterans Memorial Building, the Montecito Country Club, the Carpinteria Boys & Girls Club and even in a tent at the Carpinteria State Beach. This year it will be at the Girls, Inc. of Carpinteria facility; and

WHEREAS, this event provides an opportunity for our many local service organizations and others to publicly honor their valued volunteers with Merit Awards; and

WHEREAS, a local business is selected to receive the Outstanding Community Business Award; and

WHEREAS, two teachers from our local Carpinteria schools are chosen to receive an award as Educator of the Year, one each from the elementary and secondary schools; and

WHEREAS, following a rigorous selection process, three high school students are chosen as Finalists for the Junior Carpinterian of the Year Award, with one of them selected as the Junior Carpinterian of the Year, and with each of them receiving a generous college scholarship with funds donated by community members; and

WHEREAS, the culmination of the evening is the announcement of the Carpinterian of the Year, a distinctive honor given to an individual or individuals for their outstanding accomplishments and contributions to the Carpinteria Valley community; and

WHEREAS, the City Council of the City of Carpinteria congratulates the Community Awards Banquet on its 65th anniversary and commends the new Carpinteria Community Association for its commitment to honor the spirit of Carpinteria.

IN WITNESS WHEREOF, the Mayor hereunto set their hand and caused the official seal of the City of Carpinteria, California to be affixed this 25th day of March, 2024.

ATTEST:

Al Clark, Mayor
City of Carpinteria

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



MEMORANDUM



Council Meeting Date: March 25, 2024

To: Honorable Mayor and City Council

From: Michael Ramirez, City Manager

Subject: City Manager's Report

SENIOR SERVICES PROGRAMMING (AGEWELL)

Bridge Club

AgeWell has started a new Bridge Club that is going strong. They meet every Tuesday from 1 PM to 4 PM in the Veterans Hall meeting room.

Senior Saturday Excursions

Starting in April, AgeWell will host a fun outing the first Saturday of the month. The initial event will take place on Saturday, April 6th at 10:00 a.m. Seniors will enjoy a docent-led tour of the Salt Marsh. The meeting point will be the beach entrance at the end of Ash Ave. The tour will run for about half an hour followed by a coastal picnic under the shade. Everyone is invited and encouraged to bring their blanket or chair and a brown bag for the picnic.

Agewell Facebook Account

AgeWell has its own Facebook page. Start following AgeWell Carpinteria and get up to date on the latest happening. We hope that the Facebook page will facilitate the Carpinteria seniors planning their week with all the information available in one stop.

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
 - Tentative start date April 29, 2024
- Parks, Recreation, and Community Services Director
 - Panel Interview held on March 25
 - 7 Candidates

- Accounting Technician
 - April 11, 2024: First review of application
- Aquatics Superintendent
 - Pending selection

UPDATES ON CAPITAL IMPROVEMENT PROJECTS

No updates

UPDATES ON DEVELOPMENT APPLICATIONS

No updates

OTHER CITY/COMMUNITY UPDATES

Community Service Support Grants

The City of Carpinteria is now accepting Community Services Support Grant applications from nonprofit organizations that play a vital role in enhancing our community's well-being. These grants are available for organizations supporting City Council's Strategic Goals and priorities, as well as those serving Carpinteria with a focus on needs beyond the City's immediate scope, including Health and Human Services, and events falling under these categories.

The application deadline is April 19th, and you can find the application form on the City's homepage at www.carpinteriaca.gov under Hot Topics. For any inquiries or additional information, please feel free to contact Olivia Uribe Mutal, our program manager.

Informational Presentation on Accessory Dwelling Units (ADUs)

Senior Planner, Syndi Souter, with the City's Community Development Department, offered an informational presentation on ADUs at the Carpinteria Community Library on Saturday, March 16. 35 interested parties attended the meeting and Library staff received a few inquiries in the week afterward. The presentation was very well received and Syndi answered lots of good questions about ADUs.

Free Eclipse Glasses

The Community Library will offer free eclipse glasses beginning April 1, ahead of the April 8 partial eclipse.

Klentner Mixed-Use Project Appeal Hearing

On Tuesday, March 26th, the City Council will hold a special meeting to consider the appeal of the Planning Commission's approval of the Klentner Mixed-Use Project located at 4745 Carpinteria Avenue. The hearing will be held in the Council Chambers and will start at 5:30 p.m. The agenda and staff report for the meeting are available on the City's website at: <https://carpinteriaca.gov/city-hall/agendas-meetings/>.

County of Santa Barbara Housing Element

The County of Santa Barbara Planning Commission will be considering the proposed rezones of various properties located in unincorporated Santa Barbara County needed to comply with the County's Regional Housing Needs Assessment (RHNA) at an upcoming hearing on Monday, April 1, 2024. Properties being considered for possible rezones include three properties located in the Carpinteria Valley that are contiguous to the City's boundary. In anticipation of the upcoming hearing, the County has released the Proposed Final Program Environmental Impact Report (PEIR) for public review. More information is available on the County's website at: <https://www.countyofsb.org/3177/Housing-Element-Update>.

Multi-Unit Housing Smoking Regulations

Following the receipt of public comment and discussion with the City Council at their March 11th meeting, City staff have met with County Public Health Department staff to discuss suggested revisions to the City's smoking regulations. In particular, City staff sought feedback from Public Health staff concerning suggested updates to the City's tobacco retailer licensing program. City staff will continue to work with interested stakeholder groups to revise the proposed Ordinance in response to direction received from the Council. Staff is anticipating returning to the Council in late spring or early summer with a proposed Ordinance for first reading.

Carpinteria Beautiful - Carpinteria Cleanup Day

Carpinteria Cleanup Day: Saturday, March 23rd from 9 am to noon.

Carpinteria Bluffs Restoration

CivicSpark and the City of Carpinteria will host the Carpinteria Bluffs Restoration event on Saturday, April 6th, May 4th, and May 18th from 9 am to noon. Meet at the Bailard Avenue Parking Lot on the day of the event. No experience is necessary, please bring sun protection and gloves, if you have them. Tools and snacks will be provided. Please RSVP at <https://tinyurl.com/ccbluffs>.

Monte Vista Off-Leash Dog Park

The Monte Vista Off-Leash Dog Park is nearing completion, with fencing and amenities being finalized. We're excited to announce public access will be available in the last week of March. The City will host a ribbon-cutting ceremony and grand opening on Saturday, April 13th. The Carpinteria Owners Dog Group (CDOG) will sponsor the festivities, and further details will be available at the next City Council meeting.

Carpinteria Bluffs Restoration

The City was awarded a competitive Habitat Conservation Fund grant of \$183,000 from the California Department of Parks and Recreation. This funding may be used to develop and construct the coastal trail segment at Bluffs II, which extends behind the S & S Seeds property. The grant is administered by the State Parks Office of Grant and Local Services (OGALS) and funded by California's Wildlife Protection Act of 1990

(Proposition 117). This grant requires matching funds. City staff is exploring alternative funding sources to support the project.

**City of Carpinteria
City Council Minutes
Regular Meeting
Monday, March 11, 2024**

In-Person and Virtual

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 (present via Zoom)
Councilmember Mónica J. Solórzano
Vice Mayor Natalia Alarcon
Mayor Al Clark

Staff members present:

Michael Ramirez, City Manager
Mack Carlson, on behalf of Brownstein Hyatt Farber
Schreck, LLP acting as City Attorney of the City
of Carpinteria
Ben Markham, on behalf of Brownstein Hyatt Farber
Schreck, LLP acting as City Attorney of the City
of Carpinteria
Brian C. Barrett, City Clerk
Erin Maker, Environmental Program Manager
Nick Bobroff, Community Development Director
Marysol Smith, Associate Planner
Syndi Souter, Senior Planner
Megan Musolf, Assistant Planner
Mindy Fogg, Principal Planner
Stephon Downes, Management Analyst I
John L. Ilasin, Public Works Director
Olivia Uribe Mutal, Program Manager

PLEDGE OF ALLEGIANCE

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

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

Legal Counsel Carlson announced that Councilmember Nomura has requested to participate in this meeting remotely under AB 2449 and he asked Councilmember Nomura if he was available on Zoom. Councilmember Nomura replied that he was available on Zoom and announced that his request for remote participation has to do with his popping a few ribs and having difficulty walking.

Legal Counsel Carlson asked Councilmember Nomura if anyone over 18 years old was present at the remote location and his relationship to them. Councilmember Nomura responded that he was the only person present at the remote location.

Legal Counsel Carlson stated that that a quorum was present at the Council Chambers.

Legal Counsel Carlson stated that Councilmember Nomura has not exceeded the annual limit for “just cause” purposes.

Legal Counsel Carlson stated that remote participation and a two-way audiovisual platform has been provided to the public for the remote attendance of the Council meeting.

Based on the above findings, Legal Counsel Carlson recommended the Council approve Councilmember Nomura’s request for remote participation under AB 2449.

Motion by Councilmember Nomura, seconded by Vice Mayor Alarcon, to approve Councilmember Nomura’s request for remote participation under AB 2449. Upon voice vote, the motion carried unanimously.

AGENDA MODIFICATIONS: NONE

INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS:

1. Proclamation Designating the Month of April 2024 as “Carpinteria Beautiful Month”. *(Requires approval prior to presentation of proclamation.)*

There was no public comment.

Motion by Councilmember Solórzano, seconded by Councilmember Lee, to approve the Proclamation Designating the Month of April 2024 as “Carpinteria Beautiful Month”. Upon voice vote, the motion carried unanimously.

Mayor Clark and the Council presented the proclamation to members of Carpinteria Beautiful. Donna Jordan and Bryan Mootz provided remarks.

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

Mayor Clark temporarily adjourned the meeting at 5:40 pm.

RECONVENE THE REGULAR MEETING OF THE CITY COUNCIL

Mayor Clark reconvened the meeting at 5:49 pm.

PUBLIC INFORMATION REPORTS AND ANNOUNCEMENTS

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

CITY MANAGER'S REPORT

a. Senior Services Programming

City Manager Ramirez reported on the upcoming Advanced Care Planning Workshop and the older adult nutrition program offered by The Food Bank of Santa Barbara County.

b. City Employee Updates

City Manager Ramirez provided an update on the recruitments for Assistant City Manager; Parks, Recreation and Community Services Director; and Aquatics Superintendent.

c. Updates on Capital Improvement Projects

None.

d. Updates on Development Applications

None.

e. Other City/Community Updates

City Manager Ramirez announced the two upcoming special City Council meetings:

- Tuesday, March 19th at 5:30 pm for Mid-Year Budget Review and Capital Improvement Plan Study Session
- Tuesday, March 26th at 5:30 pm for Appeal Hearing of Klentner Mixed Use Project at 4745 Carpinteria Avenue

City Manager Ramirez mentioned Community Development staff would provide a presentation on Accessory Dwelling Units (ADUs) on Saturday, March 16th at 1:00 pm at the Carpinteria Community Library.

Environmental Program Manager Maker presented a PowerPoint presentation on sediment deposition.

Community Development Director Bobroff related that the General Plan Update Committee would begin meeting again on Monday, March 18th at 5:30 pm in the Council Chambers and he outlined the purpose of the Committee.

Speakers via Zoom: Julia Mayer

City Manager Ramirez responded to Ms. Mayer's comments.

PLANNING COMMISSION ACTIONS:

Community Development Director Bobroff reported on the Planning Commission Actions from its meeting on March 4th.

There was no public comment.

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Speakers in-person: Rick Olmstead, Theresa Simber, Mark Rock (spoke on Item No. 8), Cheryl Wright representing Island Brewing Company, Paul Wright representing Island Brewing Company, André Jackson representing Corktree Cellars, and Julie Sigwart

Emails distributed: Brandon Martinez-Avina, David Sigman, and Anonymous

Community Development Director Bobroff responded to comments from Mr. Rock, the Wrights, and Ms. Jackson.

City Manager Ramirez responded to comments regarding live entertainment.

CONSENT CALENDAR:

There was no public comment.

Motion by Councilmember Lee, seconded by Councilmember Nomura, to approve the Consent Calendar Item Nos. 2 through 5. Upon voice vote, the motion carried unanimously.

2. Approve the minutes of the regular meeting held February 26, 2024.
3. Receive and file the Expenditures for the period beginning February 19, 2024 and ending March 1, 2024.

4. Adopt Resolution No. 6293, authorizing the filing of the Transportation Development Act Claim for Fiscal Year 2024/25.
5. Adopt Resolution No. 6294, designating the City Manager, Administrative Services Director and Public Works Director as Agents for the City of Carpinteria within the California Office of Emergency Services.

ADMINISTRATIVE MATTERS:

6. Community Development Block Grant (“CDBG”) Committee recommendations concerning the 2024-2025 Public Services Grant Applications and allocation of program funds.

Recommendation: Allocate the CDBG Public Services Grant Funding pursuant to the recommendations of the City’s CDBG Committee to equally share the funds between Peoples’ Self-Help Housing’s Carpinteria Camino Scholars program and Girls Inc. of Carpinteria’s Out-of-School Support programming. *(This motion requires a roll call vote.)*

Associate Planner Smith provided the staff report and PowerPoint presentation.

Speakers in-person: Tessa Ortega representing Girls Inc. and Jane Benefield

Motion by Councilmember Lee, seconded by Vice Mayor Alarcon, to allocate the 2024-2025 CDBG Public Services Grant funding equally between the programs of Peoples’ Self-Help Housing and Girls Inc., as recommended by the CDBG Committee. The roll call vote on the motion was as follows:

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

NOES: None

ABSENT: None

ABSTAIN: None

The motion carried unanimously.

7. The City’s 2023 Housing Element Annual Progress Report to the California Department of Housing and Community Development (“HCD”) on the status of implementation of Housing Element goals, policies, and objectives.

Recommendation: Receive the 2023 Housing Element Annual Progress Report and direct that it be submitted to HCD.

Senior Planner Souter provided the staff report and PowerPoint presentation.

Speakers in-person: Scott Barash and Julia Mayer

Emails distributed: Sandra Duncan

Motion by Councilmember Solórzano, seconded by Vice Mayor Alarcon, to accept the 2023 Housing Element Annual Progress Report and direct the Community Development Director to submit the report to HCD. Upon voice vote, the motion carried unanimously.

PUBLIC HEARING:

8. Review of proposed Ordinance No. 778 amending Chapter 8.52 (SMOKING REGULATIONS) of the Carpinteria Municipal Code to regulate smoking in multi-unit housing developments and update requirements for tobacco retail signage in accordance with State law.

Recommendation: Review proposed Ordinance No. 778, receive public comments on the draft Ordinance, and provide input and direction to City staff for further processing.

Principal Planner Fogg and Assistant Planner Musolf presented the staff report and PowerPoint presentation. Legal Counsel Markham and Carlson assisted in the presentation and took questions from the Council.

Mayor Clark opened the public hearing at 7:39 pm.

Speakers in-person: Javier Garnica representing Future Leaders of America, Santiago Segovia representing Santa Barbara County Public Health Department, Daniel Gonzalez representing Future Leaders of America, Ivan Vega representing Future Leaders of America, Jose Martin representing Future Leaders of America, Julianna Ornelas representing Future Leaders of America, Crystal Echeverria representing Future Leaders of America, Jesselyn Banos representing Future Leaders of America, and Sindy Zavala representing Future Leaders of America

Emails distributed: Lynn Ransom, Sheralyn Rock, Amy Woodward, Anonymous, and Robert Denholtz

Mayor Clark closed the public hearing at 7:58 pm.

The Council was in agreement to the following in regards to the Proposed Ordinance No. 778:

- Research on funding/financing to assist in the enforcement process
- Keep the enforcement as it is presented and get more information on material breach of lease
- Exclude medical cannabis

- Reasonable distance described as the maximum distance possible or practicable and should generally be 25 feet and omit the five foot minimum
- Add a protection for undocumented residents
- Exclude Mobile Home Parks

Community Development Bobroff inquired if the Council would like staff to incorporate Mr. Segovia's comments about the following:

- Updating smoking regulations to reflect SB 626 and ban on hotels/motels
- Increase the tobacco retailer's license to \$600 to make it more competitive with other jurisdictions and fund educational efforts
- Revisit how appealed cases are handled with the City Attorney's Office (likely has to do with appealed tobacco retailer's licenses) which staff hasn't looked at

There was consensus of the Council to incorporate Mr. Segovia's comments into proposed Ordinance No. 778.

Motion by Councilmember Lee, seconded by Councilmember Solórzano, to direct staff to come back with a future agenda item dealing with the Council's suggestions as presented. Upon voice vote, the motion carried unanimously.

Mayor Clark recessed to a break at 8:18 pm and reconvened the meeting at 8:30 pm.

9. Adopt Resolution No. 6292, Approving the Measure A Five-Year Local Program of Projects for Fiscal Years 2024-25 through 2028-29.

Recommendation: (1) Adopt Resolution No. 6292, approving the Measure A Five-Year Local Program of Projects for Fiscal Years 2024-25 through 2028-29 and (2) Authorize the Public Works Director to submit the Measure A Five-Year Local Program of Projects to the Santa Barbara County Association of Governments.

Management Analyst I Downes provided the staff report and PowerPoint presentation.

Mayor Clark opened the public hearing at 8:36 pm and being there was no public comment, closed the public hearing at 8:37 pm.

Motion by Councilmember Solórzano, seconded by Councilmember Lee, to adopt Resolution No. 6292, as read by title only, approving the Measure A Five-Year Local Program of Projects and authorizing submittal by the Public Works Director to the Santa Barbara County Association of Governments. Upon voice vote, the motion carried unanimously.

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

MATTERS CONTINUED FROM PREVIOUS MEETINGS: NONE

OTHER BUSINESS:

10. Additional appropriations through the Community Service Support Grant program (CSSG) for the current fiscal year (FY) 2023-24, and recommendations for updates to the CSSG selection process and allocations for future years.

Recommendation: (1) Direct staff to advertise and receive applications for potential allocation of remaining FY 23/24 CSSG funds, and direct that funding be limited to new organizations and/or community events that support City Council priorities or address emergent needs; (2) Review and consider funding the Chalk Up Carpinteria request of \$8,000; (3) Review and consider funding the Alcazar Theater requests (2) of \$9,750; (4) Direct staff to establish four grant categories for future CSSG funding beginning FY 24/25, including: COMMUNITY COLLABORATION, SOCIAL SERVICES, COMMUNITY EVENTS, and CITY COUNCIL INITIATIVES/EMERGENT NEEDS; and (5) Direct staff to establish separate grant application requirements for grant amounts equal to or less than \$10,000. *(This motion requires a roll call vote.)*

Councilmember Nomura recused himself from this item due to a potential conflict of interest as his wife Debbie Nomura is the Executive Director for the Alcazar Theater and is on the payroll there and noted he would be abstaining from participation in Agenda Item No. 10 and turned off his video at 8:38 pm.

Legal Counsel Carlson clarified that Government Code 1090 proposes certain requirements whether or not a local agency may enter into contractual arrangements including the designation of grant funds to a Councilmember or someone the Councilmember is affiliated with. In this case, Legal Counsel Carlson stated that Councilmember Nomura's partner is the Executive Director for the Alcazar Theater and there is an exception to the conflicts under Government Code 1090, in Section 1091(b)1 that applies here and the Council could still award a grant to the Alcazar Theater, if it so chooses.

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

Speakers in-person: Kristina Calkins, Debbie Nomura, and Jane Benefield

Motion by Councilmember Solórzano, seconded by Councilmember Lee, to fund the Chalk Up Carpinteria request of \$8,000 and the Alcazar Theater request of \$9,750.

Vice Mayor Alarcon noted that the Alcazar Theater's request is actually two requests each for \$9,750. She also recommended that the Council support one of the Alcazar Theater's requests and when the funding is open to everyone, the Alcazar Theater could put in their other request.

Councilmember Solórzano amended the motion to fund the Chalk Up Carpinteria request of \$8,000 and to fund one of the requests of the Alcazar Theater of \$9,750 and let the Alcazar Theater choose which request to be funded. Councilmember Lee seconded the amended motion.

The roll call vote on the amended motion was as follows:

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

The motion carried.

Motion by Mayor Clark, seconded by Vice Mayor Alarcon, to direct staff to advertise and receive applications for potential allocation of remaining FY 23/24 CSSG funds, and direct that funding be limited to new organizations and/or community events that support City Council priorities or address emergent needs, and allow the Alcazar Theater to apply again. The roll call vote on the motion was as follows:

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

The motion carried.

Mayor Clark asked if Councilmember Nomura could participate in the remaining motions. Legal Counsel Carlson said that Councilmember Nomura could participate on the remaining motions. Councilmember Nomura turned on his video at 9:29 pm and stated he would like to consider recusal for the entire agenda item and turned off his video at 9:29 pm.

Motion by Councilmember Solórzano, seconded by Councilmember Lee, to direct staff to establish four grant categories for future CSSG funding beginning FY 24/25, including: COMMUNITY COLLABORATION, SOCIAL SERVICES, COMMUNITY EVENTS, AND CITY COUNCIL INITIATIVES/EMERGENT NEEDS. The roll call vote on the motion was as follows:

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

ABSTAIN: None

The motion carried.

Motion by Councilmember Solórzano, seconded by Councilmember Lee, to direct staff to establish separate grant application requirements for grant amounts equal to or less than \$10,000. The roll call vote on the motion was as follows:

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

NOES: None

ABSENT: Councilmember Nomura (recused)

ABSTAIN: None

The motion carried.

Councilmember Nomura turned his video on and returned to the meeting at 9:35 pm.

LEGISLATIVE UPDATE: NONE

COMMITTEE REPORTS, INQUIRIES AND OTHER MATTERS PRESENTED BY COUNCILMEMBERS

Councilmember Solórzano reported on:

- The next BEACON meeting is this Friday in the Council Chambers.
- Santa Barbara Metropolitan Transit District Board met last week and reinstated the Downtown Waterfront Shuttle Service in Santa Barbara on a temporary basis from Memorial Day to Labor Day.
- South Coast Youth Safety Partnership met on February 28th and discussed the gun possession outside Carpinteria High School, updates from Carpinteria Unified School District on afterschool programming at the Middle/High Schools, and updates from community partners on efforts about youth safety and engagement.
- Ad Hoc Harbor Seal Advisory Committee met on February 28th and received the Harbor Seal Rookery Report, looked at local versus regional impacts for declining numbers in seals, reviewed the current ordinance, and had an update on seal watch data.

Mayor Clark inquired about a future agenda item regarding Councilmember compensation. City Manager Ramirez replied that this item would be heard at one of the next two regular Council meetings.

Mayor Clark noted the recent process for the Council to select the Volunteer of the Year and recommended a separate Committee of two Councilmembers and some other people from the town choose the Volunteer of the Year and the Council to accept.

There was consensus amongst the Council to direct staff to bring back a future agenda item on the Volunteer of the Year selection process.

ATTENDANCE OF COUNCILMEMBERS FOR FUTURE MEETINGS

All Councilmembers are expected to be in attendance at the March 25th regular City Council meeting.

ADJOURNMENT

Mayor Clark adjourned the meeting at 9:41 pm.

Al Clark, Mayor

ATTEST:

Brian C. Barrett, CMC, CPMC
City Clerk

**City of Carpinteria
City Council Minutes
Special Meeting
Tuesday, March 19, 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
 Brian C. Barrett, City Clerk
 Licette Maldonado, Administrative Services Director
 John L. Ilasin, Public Works Director

PLEDGE OF ALLEGIANCE

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

CITY COUNCIL BUSINESS:

The City Council met to consider the following items:

1. Review of the Mid-Year Budget Report and making related adjustments to appropriations.

Recommendation: Accept the Mid-Year Budget Report and approve adjustments to the budget as summarized in Attachment B. *(This motion requires a roll call vote.)*

Administrative Services Director Maldonado presented the staff report and PowerPoint presentation and she noted a correction had been made to the first bullet under the Park Maintenance Fund Summary on page 4 of the staff report.

There was no public comment.

Motion by Councilmember Solórzano, seconded by Councilmember Nomura, to accept the Mid-Year Budget Report and approve amendments to the adopted budget as provided for in Attachment B. The roll call vote on the motion was as follows:

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

NOES: None

ABSENT: None

ABSTAIN: None

The motion carried unanimously.

2. Capital Improvement Plan Study Session.

Recommendation: Direct staff in prioritizing capital projects for the ensuing Fiscal Year 2024/25 Capital Improvements Program Budget.

City Manager Ramirez and Public Works Director Ilasin provided the staff report and PowerPoint presentation.

Speakers in-person: Susan Allen

There was Council consensus to direct staff to prioritize the following capital improvement projects as first priority:

1. 2022 Pavement Rehabilitation
2. 2023 Pavement Maintenance and Rehabilitation
3. Via Real Stormwater
4. Carpinteria Avenue Bridge Replacement
5. Former Venoco Oil Pipeline #0470 Abandonment

There was Council consensus to direct staff to prioritize the following capital improvement projects as secondary priority:

1. Franklin Creek Trail Improvement
2. Carpinteria High School Area Crosswalk Safety Improvement
3. Linden Avenue Improvements – Carpinteria Avenue to Linden Avenue Overcrossing
4. Concha Park
5. Rincon Multi-Use Trail

ADJOURNMENT

Mayor Clark adjourned the meeting at 7:59 pm.

Al Clark, Mayor

ATTEST:

Brian C. Barrett, CMC, CPMC
City Clerk



City of Carpinteria

COUNCIL AGENDA STAFF REPORT March 25, 2024

ITEM FOR COUNCIL CONSIDERATION

Expenditures for the period beginning March 04, 2024 and ending March 15, 2024.

STAFF RECOMMENDATION

Receive and file Warrant Register for the period of March 04, 2024, through March 15, 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 March 04, 2024 and ending March 15, 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: 03/04/2024 - 03/15/2024

Vendor Number	Vendor Name	Payment Date	Payment Amount	Number
Payable #	Payable Type	Payable Description		
Bank Code: AP Bank-AP Bank				
Payment Type: Regular				
	BUENAVENTURA SWIM CLUB	03/06/2024	(346.00)	103061
	ALYSSA CHAYASING	03/07/2024	300.00	103123
INV0004716	Invoice	VETS HALL EVENT 5/20/23 REFUND		
	AMAZON CAPITAL SERVICES INC	03/07/2024	558.62	103124
11F9-VWFC-6RPC	Invoice	BOOKS FOR LIBRARY		
137T-J4R9-4LCW	Invoice	BOOKS FOR LIBRARY		
13X7-7DFF-KWQX	Invoice	DVD FOR LIBRARY		
1DG6-GYV1-17HH	Credit Memo	BOOKS FOR LIBRARY		
1FQF-GPPK-MPT4	Invoice	BOOKS FOR LIBRARY		
1H3C-XQJQ-TJ7N	Invoice	BOOKS FOR LIBRARY		
1LYW-TF9W-KYGN	Invoice	BOOKS FOR LIBRARY		
1QND-VRGT-3XR7	Invoice	BOOKS FOR LIBRARY		
1RDL-HQHV-KP7W	Invoice	BOOKS FOR LIBRARY		
1RXV-3G3M-13VP	Invoice	BOOKS FOR LIBRARY		
1TYX-V6DY-691K	Invoice	BOOKS FOR LIBRARY		
1XRV-TV19-1D1R	Credit Memo	BOOKS FOR LIBRARY		
	A-OK POWER EQUIPMENT	03/07/2024	1,511.58	103125
764309	Invoice	AK30 BATTERY FOR POLE SAW		
765765	Invoice	MSA 220 C BQ POWER EQUIPMENT FOR PUBLIC WORKS		
	BIG GREEN CLEANING COMPANY	03/07/2024	19,598.00	103126
641001	Invoice	FEB24 CONTRACTED CLEANING SERVICES AT POOL		
641002	Invoice	FEB24 CONTRACTED CLEANING SERVICES AT LIBRARY		
641038	Invoice	FEB24 CONTRACTED CLEANING SERVICES CITY & VET		
641042	Invoice	FEB24 CONTRACTED CLEANING SERVICES		
642082	Credit Memo	JAN24 PUBLIC RESTROOMS CITY PARKS CREDIT		
642538	Invoice	FEB24 HOMELESS CLEANUP 1/10/24		
642548	Invoice	FEB24 EMERGENCY CLEANUP SEAL FOUNTAIN 1/29/24		
642556	Invoice	FEB24 HOMELESS CLEANUP CONCHA LOMA AREA 2/15/24		
642558	Invoice	FEB24 HOMELESS CLEANUP BLUFF,PARK,BIKE PT 2/15/24		
642559	Invoice	FEB24 PRESSURE WASH LIBRARY 2/15/24		
642561	Invoice	FEB24 PRESSURE WASH VETS HALL 1/19/24		
	BLACK GOLD COOPERATIVE LIBRARY SYSTEM	03/07/2024	1,907.79	103127
24-439	Invoice	FY23-24 Q2 REIMBURSABLE HOOPLA & HOTS		
	BOBS BACKHOE & TRUCKING	03/07/2024	10,821.63	103128
18985	Invoice	FEB24 WINTER BERM WORK 2/6/24		
	BUENAVENTURA SWIM CLUB	03/07/2024	144.00	103129
INV0005394	Invoice	MAR24 COASTAL CHAMPIONSHIP MEET		
	CANNON	03/07/2024	12,431.50	103130
87473 C	Invoice	JAN24 2022 PAYMENT REHABILITATION		
	CANON FINANCIAL SERVICES INC	03/07/2024	1,249.52	103131
32082779	Invoice	FEB24 MAINT & SERVICE CANON PRINTERS		
	CARLOS CERECEDO INC	03/07/2024	375.00	103132
001-24	Invoice	INTERPRETER FOR A ZOOM SEMINAR-ERIN MAKER 2/21/24		
	CARPINTERIA VALLEY LUMBER CO	03/07/2024	375.55	103133
530066	Invoice	GOLVES AND DUCT TAPE FOR HOMELESS CLEANUP		
530324	Invoice	SPRAY PAINT FOR LIBRARY		
530335	Invoice	LED LIGHTS FOR VETS HALL		
530529	Invoice	MISC. HARDWARE FOR VETS HALL		
530585	Invoice	GLUE,TAPE,15FT CORD,WOOD FOR SIGNS AT VETS HALL		

530743	Invoice	CONCRETE MIX FOR POPLAR ST STORM DRAIN REPAIR		
530749	Invoice	CONCRETE MIX FOR VIA REAL STORM DRAIN REPAIR		
530834	Invoice	WASHERS FOR FAUCET LEAKS FOR CITY BUILDINGS		
530843	Invoice	EXTERIOR HOSE BIB FOR SHOP		
530990	Invoice	MISC. HARDWARE FOR SHOP		
	CARPINTERIA VALLEY ROOFING INC.	03/07/2024	550.00	103134
INV0005378	Invoice	LEAK REPAIR AND CLEAN ROOF AT CITY HALL 2/19/24		
	COASTAL VIEW NEWS	03/07/2024	437.00	103135
60918	Invoice	NOTICE OF PUBLIC HEARING AD 2/22/24		
60942	Invoice	NOTICE OF PUBLIC HEARING AD 2/28/24		
60945	Invoice	NOTICE OF PUBLIC HEARING AD 2/28/24		
	DFM ASSOCIATES	03/07/2024	75.43	103136
49385	Invoice	2024 CA ELECTIONS CODE BOOK		
	EVERSHADE EXTERIOR CLEANING SOLUTIONS	03/07/2024	475.00	103137
10715	Invoice	FEB24 CLEANING OF TRASH CANS ON CARP & LINDEN AVE		
	GRAINGER	03/07/2024	739.99	103138
9027057430	Invoice	3 BROOMS,2 CUTTING PLIERS,DOOR STOP WEDGE FOR SHOP		
9034533712	Invoice	22CT GREEN PAINT FOR SHOP		
	IMPULSE ADVANCE COMMUNICATIONS	03/07/2024	1,647.89	103139
116431	Invoice	APR24 PHONE SERVICES		
	LEWIS ENGINEERING	03/07/2024	2,981.25	103140
2442	Invoice	PROFESSIONAL SERVICES CARP SEWER 1/31/24		
	MARBORG INDUSTRIES	03/07/2024	598.08	103141
6058002	Invoice	FEB24 PORTABLE RESTROOMS @ PARKING LOT 1		
	MCK CORP	03/07/2024	29,856.00	103142
98	Invoice	2 PARKLET & 4 TRANSITION RAMPS		
	MISSION UNIFORM SERVICE	03/07/2024	225.67	103143
521105718	Invoice	TOWEL & MAT REPLACEMENT-VETS HALL 2/26/24		
521105731	Invoice	TOWEL & MAT REPLACEMENT 2/26/24		
521105732	Invoice	TOWEL & MAT REPLACEMENT AT LIBRARY 2/26/24		
521105733	Invoice	TOWEL & MAT REPLACEMENT-CITY HALL 2/26/24		
	OVERDRIVE INC.	03/07/2024	255.49	103144
01352DA24046902	Invoice	FEB24 EBOOK/AUDIOBOOKS FOR LIBRARY		
01352DA24046903	Invoice	FEB24 EBOOK/AUDIOBOOKS FOR LIBRARY		
01352DA24053309	Invoice	FEB24 EBOOK/AUDIOBOOKS FOR LIBRARY		
	PRECISION CONCRETE CUTTING	03/07/2024	47,101.00	103145
COCARP 022624-01	Invoice	SIDEWALK MAINTENANCE ZONE 3 2/9/24		
	RISDON'S 76 SERVICE	03/07/2024	1,839.42	103146
A80881	Invoice	NEW TIRES FOR TRUCK 325		
	RPG CARPINTERIA LLC	03/07/2024	84,775.53	103147
INV0005396	Invoice	MAR24 BP ADVANCED PLAN CHECK DEPOSIT REFUND		
	SANTA BARBARA SWIM CLUB	03/07/2024	966.00	103148
INV0005393	Invoice	MAR24 SBSC NOVICE SWIM MEET		
	SHOWSCAPES	03/07/2024	9,598.50	103149
388334559	Invoice	IRRIGATION REPAIR AT EL CARRO PARK 11/2/23		
388334560	Invoice	IRRIGATION REPAIR AT VIOLA PARK 11/6/23		
388334561	Invoice	IRRIGATION REPAIR AT EL CARRO PARK 11/6/23		
388334672	Invoice	IRRIGATION REPAIRS/LANDSCAPE 5277 CARPINTERIA AVE		
388334673	Invoice	IRRIGATION REPAIR AT POOL 12/4/23		
388334674	Invoice	IRRIGATION REPAIR AT LIBRARY 12/4/23		
388334675	Invoice	IRRIGATION REPAIR AT MONTE VISTA PARK 12/11/23		
388334676	Invoice	IRRIGATION REPAIRS AT FRANKLIN PARK 12/8/23		
388334677	Invoice	IRRIGATION REPAIRS AT 5292 CARPINTERIA AVE 12/8/23		
388334678	Invoice	IRRIGATION REPAIRS AT 901 LINDEN AVE		
388334877	Invoice	TREE REMOVAL AT EL CARRO PARK 1/5/24		
388334877 CREDIT	Credit Memo	TREE REMOVAL EL CARRO PARK 1/5/24 DUPLICATE		

388334993	Invoice	TREE MAINTENANCE CARPINTERIA BLUFFS TRAIL 1/29/24		
388334993 CREDIT	Credit Memo	TREE MAINT @ BLUFFS 1/29/24 DUPLICATE		
388335105	Invoice	IRRIGATION INSTALLATION ASH AVE/THIRD ST 1/19/24		
388335272	Invoice	TREE MAINTENANCE 5157 8TH ST 2/13/24		
388335314	Invoice	TREE MAINTENANCE ACROSS FROM CITY HALL 2/21/24		
388335315	Invoice	FEB24 MONTHLY CHEMICAL CHARGE COMPLEX		
	Void	03/07/2024	-	103150
	SITEONE LANDSCAPE SUPPLY (ALL AROUND)	03/07/2024	45.54	103151
138292553-001	Invoice	CORN BROOM FOR RA DOWNTOWN T		
138504083-001	Invoice	HOSE BIB REPLACEMENT FOR SHOP		
	SO CA EDISON	03/07/2024	7,974.97	103152
FEB24 700201069122	Invoice	FEB24 ELECTRICITY-101 ASH AVE		
FEB24 700230547624	Invoice	FEB24 ELECTRICITY-5103 CARPINTERIA AVE		
FEB24 700247140684	Invoice	FEB24 ELECTRICITY-1 CARPINTERIA TC1		
FEB24 700255596559	Invoice	FEB24 ELECTRICITY-100 LINDEN		
FEB24 700264659490	Invoice	FEB24 ELECTRICITY-1115 LINDEN AVE B PED		
FEB24 700274833982	Invoice	FEB24 ELECTRICITY-901 CACTUS LN EV EV		
FEB24 700291369452	Invoice	FEB24 ELECTRICITY-MULTIPLE LOCATIONS		
FEB24 700465507084	Invoice	FEB24 ELECTRICITY-4950 9TH BT HM		
FEB24 700477662295	Invoice	FEB24 ELECTRICITY-901 CACTUS LN LGHT LGHT		
FEB24 700525378417	Invoice	FEB24-931 WALNUT AVE & 4851 5TH ST		
	TAFT ELECTRIC	03/07/2024	138,379.18	103153
22217	Invoice	NOV23 CARP & PALM AVE PROJECT		
	THE FLAG FACTORY	03/07/2024	209.28	103154
32959	Invoice	STEEL SNAP HOOKS FOR EL CARRO PARK		
	TRAFFIC TECHNOLOGIES LLC	03/07/2024	874.33	103155
46608	Invoice	19 ALUMINUM SIGNS		
46610	Invoice	DRIVING GLOVES AND SAFETY GLASSES FOR NEW EMPLOYEE		
	VIDIFLO LLC	03/07/2024	6,444.27	103156
124023101	Invoice	20% FINAL INVOICE ON VIDEO SERVER SYSTEM		
	WESTERN EXTERMINATOR COMPANY	03/07/2024	82.05	103157
57409765	Invoice	FEB24 PEST CONTROL AT VETS HALL 2/12/24		
	WEX BANK (76)	03/07/2024	713.34	103158
95574955	Invoice	FEB24 FUEL FOR CITY VEHICLES		
	MISSIONSQUARE	03/07/2024	8,328.12	103159
INV0005402	Invoice	Deferred Compensation Contribution-Part Time Emp		
INV0005403	Invoice	MissionSquareEmployee Contributions		
INV0005404	Invoice	MISSIONSQUARE Employee Contributions		
	SEIU LOCAL 620	03/07/2024	258.96	103160
INV0005405	Invoice	Employee Union Dues Contribution		
	EDD-SIT	03/11/2024	0.01	103161
CM0000325	Credit Memo	REVERSE REGULAR PAYABLE TO ENTER AS DRAFT		
INV0005420	Invoice	ADJUST PR24 11/30/23 - CLEARING		
PR24 11/30/23	Invoice	PR24 11/30/23 SIT TAXES		
	EDD-SIT	03/11/2024	(0.01)	103161
	INTERNAL REVENUE SERVICE	03/11/2024	(0.01)	103162
	INTERNAL REVENUE SERVICE	03/11/2024	0.01	103162
CM0000324	Credit Memo	REVERSE REGULAR PAYABLE TO ENTER AS DRAFT		
INV0005419	Invoice	ADJUST PR24 11/30/23 - CLEARING		
PR24 11/30/23	Invoice	PR24 11/30/23 FEDERAL TAX PAYMENT		
	ADVANTAGE TELECOM	03/13/2024	69.99	103163
157879	Invoice	MAR24 EMERGENCY PHONE LINE SERVICES		
	ALICE WISSING	03/13/2024	400.00	103164
3/04/24	Invoice	MINUTES FOR PLANNING COMMISSION MEETING 2/27/24		
	AMAZON CAPITAL SERVICES INC	03/13/2024	1,613.42	103165
144H-4XDP-GL1Q	Invoice	ZIP BOOKS-A. YONKER		
16TG-774W-973P	Invoice	BOOKS FOR LIBRARY		

16TG-774W-DCWQ	Invoice	ZIP BOOKS-C. POSTMA			
17CV-HQ7Q-J6G6	Invoice	OFFICE SUPPLIES FOR LIBRARY			
17RT-WVYF-4LV7	Invoice	BOOKS FOR LIBRARY			
1C9K-XFR7-GP94	Invoice	ZIP BOOKS-M. HUERTA			
1D1L-QT47-HM34	Invoice	ZIP BOOKS-K.SCHROEDER			
1DFQ-D96X-4QLG	Invoice	BOOKS FOR LIBRARY			
1G61-Y1PT-4TN1	Invoice	BOOKS FOR LIBRARY			
1GND-LFFD-NJ4Q	Invoice	BOOKS FOR LIBRARY			
1GTN-PDHP-JXTR	Invoice	BOOKS FOR LIBRARY			
1GWM-G7RW-1K67	Invoice	ZIP BOOKS-C. CUMES			
1JXW-K7FV-HM7F	Invoice	ZIP BOOKS-M. STEINECKER			
1JXW-K7FV-J77P	Invoice	ZIP BOOKS-A. VANANTWERP			
1K9H-JFXV-TLP7	Invoice	BOOKS FOR LIBRARY			
1M6M-XY47-MQP6	Credit Memo	BOOKS FOR LIBRARY			
1NFC-KNG4-36JV	Invoice	ZIP BOOKS-J. KENNETH ZEIGLER			
1NWP-XGCK-CGT7	Invoice	BOOKS FOR LIBRARY			
1RGR-PQJG-G1MH	Credit Memo	BOOKS FOR LIBRARY			
1TCG-J1H9-3FQK	Invoice	ZIP BOOKS-L. VAN EYCK			
1TKP-RFTH-39HJ	Invoice	BOOKS FOR LIBRARY			
1VMF-D9W4-MWPK	Invoice	BOOKS FOR LIBRARY			
1WGG-FW1T-H7HV	Invoice	ZIP BOOKS-C. SCHMITZ			
1X99-TXLX-1L1F	Credit Memo	BOOKS FOR LIBRARY			
1XQD-GVGQ-7H3J	Invoice	BOOKS FOR LIBRARY			
1Y13-HP9C-4CLD	Invoice	REMOTE FOR GATV ROOM FOR LIBRARY			
	Void		03/13/2024	-	103166
	ANIMAL MEDICAL CLINIC		03/13/2024	3,360.00	103167
557433	Invoice	JAN24 CONTRACTED VET SERVICES			
557434	Invoice	JAN24 DOG LICENSE ISSUANCE			
558322	Invoice	FEB24 CONTRACTED VET SERVICES			
558325	Invoice	FEB24 DOG LICENSE ISSUANCE			
	AT&T MOBILITY		03/13/2024	594.68	103168
287303896883X03022024	Invoice	MAR24 CITY HALL PHONES			
	BASIC		03/13/2024	147.32	103169
IN3019678	Invoice	FEB24 MONTHLY FSA ADMIN FEE			
	CA DEPT OF JUSTICE		03/13/2024	256.00	103170
713248	Invoice	JAN24 FINGERPRINT APPLICATIONS			
	CALIFORNIA BUILDING STANDARDS COMMISSION		03/13/2024	200.70	103171
INV0005421	Invoice	FEE REMITTANCE FY24 (Q2 OCT-DEC 2023)			
	CALIFORNIA SOCIETY OF MUNICIPAL FINANCE OFFICERS		03/13/2024	40.00	103172
200022727	Invoice	CHANNEL COUNTIES MEETING 3/7/24			
	CALIFORNIA STORMWATER QUALITY ASSOCIATION		03/13/2024	187.50	103173
2024-21	Invoice	MEMBERSHIP FEES-REGULAR INDIVIDUAL MS4			
	CARPINTERIA GLASS COMPANY		03/13/2024	1,583.50	103174
37047	Invoice	HANDLE FOR BATHROOM WINDOW FOR LIBRARY			
	CARPINTERIA VALLEY LUMBER CO		03/13/2024	308.82	103175
530906	Invoice	CONCRETE MIX FOR LIBRARY			
530951	Invoice	CONCRETE MIX FOR LIBRARY			
530955	Invoice	WOOD FOR SIGN WORK			
530973	Invoice	SUPER GLUE FOR FLAG POLE AT EL CARRO			
531032	Invoice	MISC. HARDWARE & WOOD FOR SIGN WORK			
531074	Invoice	MISC. HARDWARE FOR SIGN WORK			
531225	Invoice	FERTILIZER & OIL FOR GARDEN			
531227	Invoice	1 RAKE FOR TRUCK			
	CARPINTERIA VALLEY WATER DISTRICT		03/13/2024	15,314.41	103176
CARP CITY FEB24 SERVICE	Invoice	FEB24-WATER FOR MULTIPLE LOCATIONS			
	COAST AUTO PARTS INC		03/13/2024	52.54	103177
775768	Invoice	FUEL ADDITIVE FOR SWEEPER			
	COASTAL VIEW NEWS		03/13/2024	346.00	103178
60940	Invoice	CONNECT WITH YOUR CITY AD 2/29/24			

MAR24 001 3011 022093901	COX BUSINESS	03/13/2024	779.82	103179
MAR24 001 3011 028030701	Invoice	MAR24 CITY HALL INTERNET-PHONE SERVICE		
	Invoice	MAR24 POOL & GARDEN INTERNET-PHONE SERVICE		
7437988	DEMCO INC	03/13/2024	799.24	103180
	Invoice	SUPPLIES FOR BOOK PROCESSING AT LIBRARY		
INV0005422	DEPARTMENT OF CONSERVATION	03/13/2024	690.55	103181
	Invoice	FEE REMITTANCE FY24 (Q2 OCT-DEC 2023)		
7473	EASY LIFT TRANSPORTATION	03/13/2024	1,000.00	103182
	Invoice	MAR24 COMMUNITY TRANSPORTATION SERVICES		
120141	EMPATHIA PACIFIC INC	03/13/2024	600.00	103183
	Invoice	APR24-JUN24 EAP SERVICES		
FEB24 0983	FIRST NATIONAL BANK OF OMAHA	03/13/2024	10,369.73	103184
FEB24 3498	Invoice	CREDIT CARD PAYMENT-OUM		
FEB24 3696	Invoice	CREDIT CARD PAYMENT-JT		
FEB24 4480	Invoice	CREDIT CARD PAYMENT-LM		
FEB24 4545	Invoice	CREDIT CARD PAYMENT-NB		
FEB24 6160	Invoice	CREDIT CARD PAYMENT-BB		
FEB24 9341	Invoice	CREDIT CARD PAYMENT-JI		
	Invoice	CREDIT CARD PAYMENT-MR		
MAR24 209-188-2500-061589-5	FRONTIER COMMUNICATIONS	03/13/2024	207.60	103185
MAR24 805-566-1944-032923-5	Invoice	MAR24 PHONE & INTERNET - LG TOWER		
	Invoice	MAR24 PHONE & INTERNET - BEACH STORE		
150012211	GRACENOTE	03/13/2024	302.60	103186
150012246	Invoice	DEC23 LISTING DISTRIBUTION SERVICES-GATV		
150012257	Invoice	JAN24 LISTING DISTRIBUTION SERVICES-GATV		
150013429	Invoice	FEB24 LISTING DISTRIBUTION SERVICES-GATV		
	Invoice	MAR24 LISTING DISTRIBUTION SERVICES-GATV		
9036347533	GRAINGER	03/13/2024	93.29	103187
9036350800	Invoice	CLEANING TOWELS & TISSUE FOR GRAFFITI		
	Invoice	2 BROOMS FOR SHOP & TRUCK		
INV0005406	HALA REZK	03/13/2024	51.00	103188
	Invoice	FEB24 COASTAL CHAMPIONSHIP MEET-REFUND		
SIN035805	HDL SOFTWARE LLC	03/13/2024	4,018.11	103189
	Invoice	JAN24 NEW ACCOUNTS PROCESSED/STR RETURNS		
INV0005407	JESSICA GRAY	03/13/2024	312.50	103190
	Invoice	JUNIOR LIFEGUARD TUITION REFUND(50%-FULL TIME EMP)		
391235 - PPU	KANOPY	03/13/2024	56.00	103191
	Invoice	FEB24 LIBRARY VIDEOS		
020224	LARRY NIMMER	03/13/2024	1,000.00	103192
	Invoice	VIDEO PRODUCTION FOR DOWNTOWN T		
259545	LIEBERT CASSIDY WHITMORE	03/13/2024	1,218.00	103193
261342	Invoice	PROFESSIONAL LEGAL SERVICES THROUGH 1/31/24		
	Invoice	PROFESSIONAL LEGAL SERVICES THROUGH 1/31/24		
15412	LIN CONSULTING INC.	03/13/2024	1,858.56	103194
	Invoice	FEB24 ENGINEERING CARP & PALM AVE INTERSECTION		
INV0005408	LINDSEY DENSMORE	03/13/2024	34.00	103195
	Invoice	FEB24 COASTAL CHAMPIONSHIP MEET REFUND		
FEB2024 9800 338916 4	LOWE'S	03/13/2024	443.28	103196
	Invoice	FEB24 CARD PAYMENT		
521105730	MISSION UNIFORM SERVICE	03/13/2024	57.22	103197
521144704	Invoice	TOWEL & MAT REPLACEMENT-POOL 2/26/24		
	Invoice	TOWEL & MAT REPLACEMENT-VETS HALL 3/4/24		
600-2024-02	MRS ENVIRONMENTAL INC	03/13/2024	26,152.69	103198
	Invoice	FEB24 OIL & GAS ON CALL ENVIROMENTAL SERVICES		

INV0005409	NATALIE MELTON Invoice	FEB24 COASTAL CHAMPIONSHIP MEET REFUND	03/13/2024	30.00	103199
49526	NEW BEGINNINGS COUNSELING CENTER Invoice	JAN24 PARKING PROGRAM	03/13/2024	3,215.25	103200
1189	ON TRACK SOLUTIONS LLC Invoice	PROJECT MEETINGS WITH UPRR	03/13/2024	12,090.00	103201
01352DA24060645	OVERDRIVE INC. Invoice	MAR24 EBOOK/AUDIOBOOKS FOR LIBRARY	03/13/2024	182.07	103202
01352DA24071893	Invoice	MAR24 EBOOK/AUDIOBOOKS FOR LIBRARY			
01352DA24071894	Invoice	MAR24 EBOOK/AUDIOBOOKS FOR LIBRARY			
2401084	PERMACOLOR INC Invoice	FLAG POLE & SANDBLAST FOR EL CARRO FLAG POLE	03/13/2024	1,487.78	103203
FEB2024 7900 0440 8110 0954	QUADIENT FINANCE USA INC Invoice	POSTAGE FOR CITY HALL 2/21/24	03/13/2024	1,000.00	103204
MAR24 7900 0440 8110 0954	Invoice	POSTAGE FOR CITY HALL 3/6/24			
Q1209348	QUADIENT LEASING USA INC. Invoice	MAR24-JUN24 LEASE PAYMENT C.H. POSTAGE MACHINE	03/13/2024	622.44	103205
16381	REGIONAL GOVERNMENT SERVICES Invoice	JAN24 CONTRACTED HR SERVICES SUPPORT	03/13/2024	163.44	103206
74390	ROGERS ANDERSON MALODY & SCOTT LLP (RAMS) Invoice	FY22-23 STATE CONTROLLERS REPORT	03/13/2024	2,200.00	103207
76463	SANSUM CLINIC Invoice	PRE-HEALTH SCREENING FOR P & R CANDIDATE	03/13/2024	356.00	103208
INV0005425	SANTA BARBARA COUNTY CLERK OF THE BOARD Invoice	CEQA NOTICE OF EXEMPTION FILING FEE 23-2263-DP/CDP	03/13/2024	50.00	103209
02/15/2024	SANTA BARBARA COUNTY PUBLIC HEALTH DEPT. Invoice	BUSINESS PLAN-FACILITY OVERSIGHT-HAZARD WASTE	03/13/2024	1,455.00	103210
2/15/24	Invoice	BUSINESS PLAN LEVEL 1 & STATE FACILITY OVERSIGHT			
2058	SANTA BARBARA COUNTY SHERIFFS DEPT Invoice	JUL23-SEP23 CONTRACTED LAW ENFORCEMENT SEREVICES	03/13/2024	545,535.52	103211
2060	Invoice	MAR24 CONTRACTED LAW ENFORCEMENT SERVICES			
850	SANTA BARBARA COUNTY WATER AGENCY Invoice	CONTRACTED SERVICES FOR JUL23-DEC23	03/13/2024	275.22	103212
169359	SANTA BARBARA PEST CONTROL Invoice	FEB24 PEST CONTROL AT CITY HALL	03/13/2024	225.00	103213
169360	Invoice	FEB24 PEST CONTROL AT VETS HALL			
170020	Invoice	FEB24 PEST CONTROL AT POOL			
388335344	SHOWSCAPES Invoice	MAR24 SHOW SCAPES MAINTENANCE FY23-24	03/13/2024	21,865.00	103214
388335345	Invoice	MAR24 MONTHLY CHEMICAL CHARGE COMPLEX			
138226229-001	SITEONE LANDSCAPE SUPPLY (ALL AROUND) Invoice	ELECTRIC CONDUIT FOR SWEEPER	03/13/2024	567.47	103215
138493727-001	Invoice	SUCTION PUMP FOR GARDEN			
138493877-001	Invoice	HERBICIDE FOR PARKS			
138532814-001	Invoice	SPRINKLER & CEMENT FOR GARDEN			
138678187-001	Invoice	RAKE & SHOVEL FOR DOWNTOWN TRUCK			
FEB24 700604790697	SO CA EDISON Invoice	FEB24 ELECTRICITY-CAPP AV/CSTS PAS 609	03/13/2024	48.87	103216
FEB24 006 514 2700 7	SO CAL GAS Invoice	NATURAL GAS 5305 CARPINTERIA AVE (POOL)	03/13/2024	7,442.44	103217
FEB24 014 914 3239 7	Invoice	NATURAL GAS 5103 CARPINTERIA AVE (FRIEMDS OF THE L			
FEB24 016 913 9500 6	Invoice	NATURAL GAS 5775 CARPINTERIA AVE (CITY HALL)			
FEB24 140 914 3084 4	Invoice	NATURAL GAS 941 WALNUT AVE (VETS HALL)			
	SOLID WASTE SOLUTIONS INC		03/13/2024	1,020.25	103218

211	Invoice	FEB24 WASTEWATER PROFESSIONAL SERVICES		
	THE FLAG FACTORY	03/13/2024	116.96	103219
32961	Invoice	ROPE FOR EL CARRO PARK FLAG POLE		
	TKM ENGINEERING	03/13/2024	3,607.50	103220
1273	Invoice	FEB24 STAFF AUGMENTATION SERVICES		
1274	Invoice	FEB24 STAFF AUGMENTATION SERVICES		
	TRAFFIC TECHNOLOGIES LLC	03/13/2024	175.89	103221
46675	Invoice	2 ALUMINUM SIGNS		
	TREETOP PRODUCTS LLC	03/13/2024	980.96	103222
INVTRE26154	Invoice	FAIRFIELD RECEPTACLES/45 GALLON TOP LOAD/EVERGREEN		
	UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFOR	03/13/2024	176.96	103223
220240157	Invoice	MAR24 NEW TICKET CHARGES & DATABASE MAINTENANCE		
23-2424586	Invoice	MAR24 STATE REGULATORY FEE		
	ZWORLD GIS	03/13/2024	2,977.00	103224
2024-0114	Invoice	FEB24 MAPPING/GIGS SERVICES		
	CalPERS HEALTH	03/07/2024	53,749.74	DFT0003223
100000017458332	Invoice	MAR24 HEALTH PREMIUMS		
	CalPERS HEALTH	03/07/2024	7,902.99	DFT0003224
100000017458335	Invoice	MAR24 HEALTH PREMIUMS		
	INTERNAL REVENUE SERVICE	03/07/2024	18,791.97	DFT0003232
PR05 03/07/2024	Invoice	PR05 03/07/24 FEDERAL TAX PAYMENT		
	EDD-SIT	03/07/2024	6,203.96	DFT0003233
PR05 03/07/24	Invoice	PR05 03/07/24 SIT TAXES		
	EDD-SDI	03/07/2024	1,793.76	DFT0003234
PR05 03/07/24	Invoice	PR05 03/07/24 SDI TAXES		
	CalPERS	03/11/2024	10,789.69	DFT0003235
02/17-3/1/24 PEPRA	Invoice	PEPRA RETIREMENT CONTRIBUTION 2/17/24-3/1/24		
	CalPERS	03/11/2024	13,555.94	DFT0003236
2/14/24-3/1/24 CLASSIC	Invoice	CLASSIC RETIREMENT CONTRIBUTION 2/17/24-3/1/24		



City of Carpinteria

COUNCIL AGENDA STAFF REPORT March 25, 2024

ITEM FOR COUNCIL CONSIDERATION

Contracts Executed by the City Manager on behalf of the City for the Period of February 20, 2024 through March 18, 2024.

STAFF RECOMMENDATION

Receive and file Report of Contracts Executed by the City Manager for the Period of February 20, 2024 through March 18, 2024.

DISCUSSION

The City Manager is delegated authority by the Carpinteria Municipal Code (CMC), §2.08.150B, to execute contracts on behalf of the City in the amount of \$30,000 or less. Pursuant to CMC §2.08.150C, a list of all contracts executed by the City Manager is provided for City Council information and appended to this Staff Report as Attachment A. Attachment A lists all contracts entered into on behalf of the City for goods, construction and services for the Period of February 20, 2024 through March 18, 2024.

FINANCIAL CONSIDERATIONS

All contracts entered into are within the appropriated budgeted amounts.

ATTACHMENTS

- A. Report of Contracts Executed by the City Manager

Report of Contracts Executed by City Manager
March 25, 2024
Page 2

Staff contact:

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


Signature

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


Signature

ATTACHMENT A

Report of Contracts Executed by the City Manager
Period of February 20, 2024 through March 18, 2024

[illegible]



City of Carpinteria

COUNCIL AGENDA STAFF REPORT March 25, 2024

ITEM FOR COUNCIL CONSIDERATION

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

STAFF RECOMMENDATION

Receive and file the report.

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

BACKGROUND / DISCUSSION

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

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

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

POLICY CONSISTENCY

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

FINANCIAL CONSIDERATIONS

Cash Statement: On February 29, 2024, the City held cash and cash investments as shown in the table below.

Table I

<u>CASH ACTIVITY FOR THE MONTH:</u>	
Cash and Investment Beginning of the Month	\$ 20,217,199.42
Cash Receipts	5,598,175.93
Cash Disbursements	(5,255,123.66)
Cash and Investment End of the Month	<u>\$ 20,560,251.69</u>

Investments:

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

As of February 29, 2024, the portfolio's average days to maturity was 2.02 years, the average coupon rate was 1.94%, the average yield to maturity was 4.77%, the par value was \$10,500,000 and the Market Value was \$10,073,906.15.

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

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

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

LEGAL

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

PRINCIPAL PARTIES EXPECTED AT MEETING

None.

ATTACHMENTS

Attachment A: City of Carpinteria Monthly Treasurer's Report

Staff contact:

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



Signature

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



Signature

Attachment A

City Treasurer's Monthly Report

CITY OF CARPINTERIA TREASURER'S REPORT
For the Month Ended February 2024

CASH ACTIVITY FOR THE MONTH:

Cash and Investment Beginning of the Month	\$ 20,217,199.42
Cash Receipts	5,598,175.93
Cash Disbursements	<u>(5,255,123.66)</u>
Cash and Investment End of the Month	<u><u>\$ 20,560,251.69</u></u>

CASH AND INVESTMENT PORTFOLIO:

<u>Type of Investment/Coupon/CUSIP #</u>	<u>Institution/Issuer</u>	<u>Yield to Maturity</u>	<u>Maturity Date</u>	<u># Days to Maturity</u>	<u>Par Value</u>	<u>Market Value (1)</u>	<u>Book Value (2)</u>
Demand Deposit - General Checking	Montecito Bank	N/A	N/A	N/A	423,593.66	423,593.66	423,593.66
Demand Deposit - Premier Public Money Market	Montecito Bank	N/A	3/1/2024	1	1,738,440.78	1,738,440.78	1,738,440.78
Demand Deposit - Section 125 Checking	Montecito Bank	N/A	N/A	N/A	4,611.71	4,611.71	4,611.71
Demand Deposit - Payroll Checking	Montecito Bank	N/A	N/A	N/A	5,000.00	5,000.00	5,000.00
Local Agency Investment Fund	State of California	0.22%	3/1/2024	1	3,570,800.15	3,570,800.15	3,570,800.15
Demand Deposit - Money Market	Charles Schwab	N/A	3/1/2024	1	4,617,547.04	4,617,547.04	4,617,547.04
Treasury Note, 0.25%, (91282CBR1)	U.S. Government	2.17%	3/15/2024	15	250,000.00	249,492.18	240,750.00
Treasury Note, 2.25%, (9128286R6)	U.S. Government	2.41%	4/30/2024	61	250,000.00	248,750.00	249,156.76
Treasury Note, 2.0%, (912828XT2)	U.S. Government	1.11%	5/31/2024	92	250,000.00	247,968.75	255,107.50
Treasury Note, 0.25%, (91282CCG4)	U.S. Government	4.61%	6/15/2024	107	250,000.00	246,367.18	235,669.96
Treasury Note, 3.0%, (91282CFA4)	U.S. Government	4.53%	7/31/2024	153	250,000.00	247,656.25	244,503.55
Treasury Note, 3.25%, (91282CFG1)	U.S. Government	4.30%	8/31/2024	184	250,000.00	247,460.93	245,158.84
Treasury Note, 0.375%, (91282CCX7)	U.S. Government	1.08%	9/15/2024	199	250,000.00	243,515.63	245,359.46
Treasury Note, 2.125%, (9128282Y5)	U.S. Government	4.31%	9/30/2024	214	250,000.00	245,507.80	239,586.84
Treasury Note, 0.625%, (91282CDB4)	U.S. Government	4.14%	10/15/2024	229	250,000.00	242,968.75	233,056.64
Treasury Note, 2.25%, (912828G38)	U.S. Government	4.35%	11/15/2024	260	250,000.00	244,921.88	241,052.35
Treasury Note, 1.00%, (91282CDN8)	U.S. Government	0.98%	12/15/2024	290	250,000.00	242,031.25	250,079.39
Treasury Note, 1.125%, (91282CDS7)	U.S. Government	4.09%	1/15/2025	321	250,000.00	241,562.50	237,350.47
Treasury Note, 1.125%, (912828ZC7)	U.S. Government	1.29%	2/28/2025	365	250,000.00	240,507.80	248,740.00
Treasury Note, 2.625%, (9128284F4)	U.S. Government	1.30%	3/31/2025	396	250,000.00	243,750.00	260,224.61
Treasury Note, 0.25%, (912828ZT0)	U.S. Government	1.25%	5/31/2025	457	250,000.00	235,937.50	241,660.01
Treasury Note, 0.25%, (912828ZW3)	U.S. Government	1.53%	6/30/2025	487	250,000.00	235,234.38	239,598.86
Treasury Note, 0.25%, (91282CAM3)	U.S. Government	1.32%	9/30/2025	579	250,000.00	232,890.63	240,265.00
Treasury Note, 3.0%, (9128285J5)	U.S. Government	4.09%	10/31/2025	610	250,000.00	242,968.75	242,136.63
Treasury Note, 0.375%, (91282CBC4)	U.S. Government	1.20%	12/31/2025	671	250,000.00	231,250.00	241,955.00
Treasury Note, 0.375%, (91282CBC4)	U.S. Government	1.37%	12/31/2025	671	250,000.00	231,250.00	240,365.00
Treasury Note, 3.875%, (91282CGE5)	U.S. Government	3.77%	1/1/2026	672	250,000.00	246,445.30	250,641.19
Treasury Note, 1.625%, (912828P46)	U.S. Government	1.56%	2/15/2026	717	250,000.00	235,976.55	250,595.69
Treasury Note, 0.5%, (91282CBQ3)	U.S. Government	1.28%	2/25/2026	727	250,000.00	230,468.75	242,113.19
Treasury Note, 0.75%, (91282CBT7)	U.S. Government	1.28%	3/31/2026	761	250,000.00	231,132.80	244,459.30
Treasury Note, 0.75%, (91282CCF6)	U.S. Government	1.34%	5/31/2026	822	250,000.00	229,804.68	243,702.50
Treasury Note, 0.875%, (91282CCJ8)	U.S. Government	1.35%	6/30/2026	852	250,000.00	230,000.00	244,821.96
Treasury Note, 1.625%, (91282YQ7)	U.S. Government	4.00%	10/31/2026	975	250,000.00	232,187.50	227,869.30
Treasury Note, 2%, (91282U24)	U.S. Government	4.31%	11/15/2026	990	250,000.00	234,375.00	228,317.27

CITY OF CARPINTERIA TREASURER'S REPORT
For the Month Ended February 2024

Treasury Note, 1.25%, (91282CDK4)	U.S. Government	1.28%	11/30/2026	1005	250,000.00	229,414.05	249,602.02
Treasury Note, 1.5%, (912828Z78)	U.S. Government	3.64%	1/31/2027	1067	250,000.00	230,117.18	231,040.31
Treasury Note, 2.25%, (912828V98)	U.S. Government	4.29%	2/15/2027	1082	250,000.00	235,000.00	229,819.14
Treasury Note, 2.5%, (91282CEF4)	U.S. Government	3.96%	2/16/2027	1083	250,000.00	236,406.25	235,031.06
Treasury Note, 2.75%, (91282CEN7)	U.S. Government	3.71%	4/30/2027	1156	250,000.00	237,890.63	241,094.62
Treasury Note, 3.25%, (91282CEW7)	U.S. Government	3.70%	6/30/2027	1217	250,000.00	241,250.00	245,668.13
Treasury Note, 3.125%, (91282CFH9)	U.S. Government	4.19%	8/31/2027	1279	250,000.00	239,921.88	238,232.21
Treasury Note, 4.125%, (91282CFU0)	U.S. Government	4.02%	10/31/2027	1340	250,000.00	247,968.75	250,962.10
Treasury Note, 2.25%, (9128283F5)	U.S. Government	4.01%	11/15/2027	1355	250,000.00	232,109.38	232,267.50
Treasury Note, 3.875%, (91282CGC9)	U.S. Government	4.01%	12/31/2027	1401	250,000.00	245,820.30	248,750.00
Treasury Note, 4%, (91282CGPO)	U.S. Government	3.99%	2/29/2028	1461	250,000.00	246,953.13	249,990.24
Treasury Note, 3.625%, (91282CGT2)	U.S. Government	4.15%	2/29/2028	1461	250,000.00	243,437.50	244,990.00
Treasury Note, 4%, (91282CHK0)	U.S. Government	4.14%	3/31/2028	1492	250,000.00	246,992.18	248,593.75
Treasury Note, 4.125%, (91282CHQ7)	U.S. Government	4.13%	7/31/2028	1614	250,000.00	248,242.18	249,920.00
					20,859,993.34	20,433,899.49	20,560,251.69

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

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

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

Based upon currently budgeted revenues and expenditures, the City currently has sufficient liquid financial resources to meet anticipated expenditures during the period 3/01/24 through 9/01/24.

WEIGHTED AVERAGE MATURITY OF PORTFOLIO

As of February 29, 2024 the weighted average days to maturity of the City's investment portfolio is 2.02 years.

FOOTNOTES TO REPORT/DEFINITION OF TERMS:

(1) The market value of U.S. Government Securities was provided by the custodial agent, Charles Schwab.

For the Local Agency Investment Fund the market value represents the contract value.

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

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

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

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

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

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



City of Carpinteria

COUNCIL AGENDA STAFF REPORT MARCH 25, 2024

ITEM FOR COUNCIL CONSIDERATION

Adoption of Resolution No. 6296, Directing the Preparation of a Street Lighting District No. 1 Report as a part of Consideration of Continuing the District for Fiscal Year 2024-25.

STAFF RECOMMENDATION

Adopt the attached Resolution No. 6296, as read by title only, directing the City Manager to prepare, or have prepared, an assessment report for the consideration of continuing Street Lighting District No. 1 for the Fiscal Year 2024-25.

Sample Motion: I move adoption of Resolution No. 6296, as read by title only, directing the City Manager to prepare, or have prepared, an assessment report for the consideration of continuing Street Lighting District No. 1 for the Fiscal Year 2024-25.

BACKGROUND/DISCUSSION

Street Lighting District No. 1 (District) is legally an independent special district governed by the City of Carpinteria. In 1977, the District was established to finance street lighting costs and continues to date. Due to the fact that this District was formed before Proposition 13 and is a property taxing district, the District is entitled to a very small share (less than 1%) of the basic one percent property tax rate.

The purpose of this agenda matter is for the City Council to consider the first step of continuing Street Lighting District No. 1 for Fiscal Year 2024-25 by ordering the preparation of the District report.

POLICY CONSISTENCY

The maintenance of public street lighting, formerly supported by the subject District, can be found consistent with various City policies including the General Plan's Community Design policies for the Downtown area. The work is also consistent with the City's interest in protecting public health and safety.

FINANCIAL CONSIDERATIONS

Failure to continue the District would result in a loss of future revenues to finance the cost of street lighting in the district, resulting in potential general fund subsidies for future projects. These funds have been used in the past to finance capital projects such as new or replacement street lights, etc. The fund balance as of June 30, 2023, is \$508,129.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

It has been determined that continuation of this District is not subject to the conditions of Proposition 218.

The following is the sequence of events for continuing the District:

- March 25, 2024 - Adopt a resolution ordering the preparation of a report describing the status of the District, which provides street lighting for the City and to provide projections for Fiscal Year 2024-25.
- April 22, 2024 - The report is presented by staff with recommendations.
Adopt a resolution accepting the report.
Adopt a resolution of intention to continue the District for next fiscal year and set for public hearing.
- May 20, 2024 - Conduct a public hearing on the proposal to continue the District.
Adopt a resolution continuing the District and levying the tax for fiscal year 2024-25.

OPTIONS

1. Adopt the attached Resolution No. 6296, as read by title only, directing the City Manager to prepare, or have prepared, an assessment report for the consideration of continuing Street Lighting District No. 1 for the Fiscal Year 2024-25.
2. The City Council could choose not to order the preparation of the Annual Report; however, by omitting this step, the District would not be continued for Fiscal Year 2024-25.

PRINCIPAL PARTIES EXPECTED AT MEETING

There are no expected parties at the meeting.

ATTACHMENTS

Attachment A: Resolution No. 6296
Attachment B: State of Fund Transactions and Financial Condition for the District
Attachment C: District Boundary Map

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


Signature

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


Signature

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


Signature

ATTACHMENT A

Resolution No. 6296

RESOLUTION NO. 6296

**A RESOLUTION OF THE
CITY COUNCIL OF THE CITY OF CARPINTERIA
ORDERING THE CITY MANAGER TO PREPARE
AN ASSESSMENT DIAGRAM, PLANS, SPECIFICATIONS, ESTIMATE AND
REPORT,
PURSUANT TO THE PROVISIONS OF DIVISION 14, PART 1, CHAPTER 8.5
STREETS AND HIGHWAYS CODE, STREET LIGHTING ACT OF 1919,
AS AMENDED,
FOR THE FURNISHING OF ELECTRIC CURRENT,
FOR THE MAINTENANCE OF CERTAIN LIGHTING FIXTURES
AND APPLIANCES IN ALL PORTIONS OF THE CITY IN
STREET LIGHTING DISTRICT NO. 1
FOR THE PERIOD BEGINNING
JULY 1, 2024, AND ENDING JUNE 30, 2025**

WHEREAS, the continued public convenience and necessity require, and it is the intention of the City Council of the City of Carpinteria to order the furnishing of electric current, and the maintenance of lighting fixtures and appliances in said Street Lighting District No. 1 in the City of Carpinteria for the period beginning July 1, 2024 and ending June 30, 2025; and

WHEREAS, proceedings for such proposed improvements will be taken pursuant to the provisions of Division 14, Part 1, Chapter 8.5, Streets and Highways Code, Street Lighting Act of 1919, as amended; and

WHEREAS, the provisions of said Division 14, Part 1, Chapter 8.5, require a written report concerning such proposed improvements.

NOW, THEREFORE BE IT RESOLVED as follows:

SECTION 1. That the City Manager is hereby ordered to prepare a written report pursuant to the provisions of Section 18160 and 18161, Streets and Highways Code for the furnishing of electric current and the maintenance of certain lighting fixtures and appliances in all portions of the City that are within Street Lighting District No. 1 in said City for the period beginning July 1, 2024 and ending June 30, 2025.

PASSED, APPROVED AND ADOPTED on this 25th day of March, 2024, by the following called votes:

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 March 25, 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

State of Fund Transactions and Financial Condition for the District

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STREET LIGHTING DISTRICT NUMBER 1
STATEMENT OF FUND TRANSACTIONS AND FINANCIAL CONDITION

FUND 29

STREET LIGHTING FUND

ACTUAL 2019-20	ACTUAL 2020-21	ACTUAL 2021-22	ACTUAL 2022-23	BUDGET 2023-24
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A. SUMMARY OF FUND TRANSACTIONS:

Fund Balance; July 1	\$ 205,098	\$ 256,170	\$ 334,264	\$ 395,746	\$ 467,449
Fiscal Year Revenues	205,557	203,668	211,969	242,772	236,850
Fiscal Year Expenditures	154,486	125,574	150,487	171,069	206,150
Fund Balance; June 30	256,170	334,264	395,746	467,449	498,149
Revenue Over/(Under) Expense	\$ 51,072	\$ 78,094	\$ 61,482	\$ 71,703	\$ 30,700

B. BALANCE SHEET, JUNE 30

ASSETS:

Cash in Savings	\$ 263,843	\$ 341,937	\$ 403,419	\$ 477,429	\$ 508,129
Time Deposits	-	-	-	-	-
Accounts Receivable	-	-	-	1,774	-
Total Assets	263,843	341,937	403,419	479,203	508,129

LIABILITIES AND FUND BALANCE:

Accounts Payable	-	-	-	11,754	-
Fund Balance	263,843	341,937	403,419	467,449	508,129
Total Liabilities & Fund Balance	\$ 263,843	\$ 341,937	\$ 403,419	\$ 479,203	\$ 508,129

C. FISCAL YEAR REVENUE DETAIL:

Use of Money & Property	\$ 11,552	\$ 639	\$ (6,805)	\$ 7,803	\$ 8,400
District #1-Property Taxes, Secured	181,368	195,264	201,466	214,373	215,000
District #1-Property Taxes, Unsecured	6,698	2,905	7,097	7,343	7,600
District #1-Supplemental Roll	4,324	3,692	5,574	9,096	4,200
District #1-Homeowners Reimbursement	827	820	813	792	850
Prior Years and Penalties	789	348	1,223	866	800
Special District Assistance	-	-	-	-	-
Transfers from Other Funds	-	-	-	-	-
Transfers In	-	-	2,600	2,500	-
Total Revenues	\$ 205,557	\$ 203,668	\$ 211,969	\$ 242,772	\$ 236,850

D. FISCAL YEAR EXPENDITURE DETAIL:

Traffic Signals	\$ -	\$ -	\$ -	\$ -	\$ -
Public Right of Way Expenses	30,617	21,842	-	-	-
Street Lighting (Utilities)	96,679	102,222	109,894	120,770	144,000
Supplies & Materials	7,913	1,510	-	3,301	3,000
Other Operating	-	-	7,561	-	-
Personnel Services	-	-	33,032	46,999	59,150
Professional Services	-	-	-	-	-
Total Operating Expense	135,209	125,574	150,487	171,069	206,150
Transfers Out	19,277	-	-	-	-
Transfers Out Pension Trust	-	-	-	-	-
Transfers Out General Fund Capital	-	-	-	-	-
Total Transfers	19,277	-	-	-	-
Street Lights	-	-	-	-	-
Total Capital Outlay Expense	-	-	-	-	-
Total Expenditures	\$ 154,486	\$ 125,574	\$ 150,487	\$ 171,069	\$ 206,150

ATTACHMENT C
District Boundary Map



City of Carpinteria
Street Lighting District No. 1
District Boundary Map



City of Carpinteria

COUNCIL AGENDA STAFF REPORT MARCH 25, 2024

ITEM FOR COUNCIL CONSIDERATION

Adoption of Resolution No. 6297, Directing the Preparation of a Lighting, Landscaping and Right-of-Way Improvement District No. 3 Report as a Part of Actions Necessary to Continue Lighting, Landscaping and Right-of-Way Improvement District No. 3 for Fiscal Year 2024-25.

STAFF RECOMMENDATION

Adopt the attached Resolution No. 6297, as read by title only, ordering the preparation of a report describing the financial status of the District and recommending assessments for Fiscal Year 2024-25 for Carpinteria Lighting, Landscaping and Right-of-Way Improvement District No. 3.

Sample Motion: I move adoption of Resolution No. 6297, as read by title only, directing the City Manager to prepare, or have prepared, a report describing the financial status of the District and recommending assessments for Fiscal Year 2024-25 for the Carpinteria Lighting, Landscaping and Right-of-Way Improvement District No. 3.

BACKGROUND/DISCUSSION

This assessment district was formed on June 8, 1985 by Resolution No. 1474, superseding Street Lighting District No. 2, providing funding for the maintenance of right-of-way including repairs to curbs, gutters, sidewalks, tree removal and planting, and the tree management program. Like the former Street Lighting District No. 2, this District may also make assessments for street lighting, but such assessments are not made since the overlapping Street Lighting District No. 1 provides funding sufficient to meet any street lighting needs.

This District encompasses the entire City and assessments are made on a parcel-by-parcel basis depending on use, location and need for services. District revenues are currently used to pay for one Maintenance Worker I and one Maintenance Worker II

positions as well as general right-of-way maintenance, and water and electric utilities costs.

POLICY CONSISTENCY

The City General Plan/Local Coastal Plan includes policies that address the maintenance of street corridors in the City. Specifically, Policies CD-8a, CD-8b, CD-9a, CD-9b, CD-9c, CD-9d and CD-9f address pedestrian and bicycle pathways. The Carpinteria Lighting, Landscaping and Right-of-Way Improvement District No. 3 is the financial means by which the City can, in part, implement these policies.

FINANCIAL CONSIDERATIONS

The attached exhibit is a summary of revenue and expenses for the District providing past years, current year, and projected data for next fiscal year.

The income stream for this District is fixed at levels set in 1985 when the District was first established. The General Fund subsidized the District by \$155,811 last year. The current year subsidy is estimated at \$184,050.

The District has also historically received payment from the Gas Tax fund for Gas Tax related work (e.g., street maintenance work that has been assigned through the City's budget system for payment from the Gas Tax Fund, performed by District employees.) It is anticipated that the Gas Tax fund balance, which also receives a mostly static income stream, will be exhausted in the next few years. Should this occur it is expected that the General Fund subsidy would need to be increased to support the lost Gas Tax revenue. At some point, increasing assessments and/or reducing levels of service must be considered unless it is determined to continue to use General Fund revenue sources to supplement the District's revenue.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

The following is the sequence of events for continuing the District:

- March 25, 2024 - Adopt a resolution ordering the preparation of a report describing the financial status and recommending assessments for Fiscal Year 2024-25.
- April 22, 2024 - The report is prepared and presented by staff with recommendations.
Adopt a resolution accepting the report.
Adopt a resolution of intention to continue the District and to levy assessments for next fiscal year and set for public hearing.
- May 20, 2024 - Conduct a public hearing on the proposal to continue the District.
Adopt a resolution continuing the District and levying assessments for Fiscal Year 2024-25.

OPTIONS

1. Adopt the attached Resolution No. 6297, as read by title only, ordering the preparation of a report describing the financial status of the District and recommending assessments for Fiscal Year 2024-25 for Carpinteria Lighting, Landscaping and Right-of-Way Improvement District No. 3.
2. The City Council could choose not to order the preparation of the Annual Report; however, by omitting this step, the District would not be continued for Fiscal Year 2024-25.

PRINCIPAL PARTIES EXPECTED AT MEETING

There are no expected parties at the meeting.

ATTACHMENTS

Attachment A: Resolution No. 6297
Attachment B: State of Fund Transactions and Financial Condition for the District
Attachment C: District Boundary Map

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


Signature

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


Signature

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


Signature

ATTACHMENT A

Resolution No. 6297

RESOLUTION NO. 6297

**A RESOLUTION OF THE
CITY COUNCIL OF THE CITY OF CARPINTERIA
ORDERING THE CITY ENGINEER TO PREPARE AND FILE
A REPORT IN ACCORDANCE WITH
CHAPTER 3, PART 2, LANDSCAPING AND LIGHTING ACT OF 1972,
COMMENCING WITH SECTION 22620,
CALIFORNIA STREETS AND HIGHWAYS CODE,
FOR THE PURPOSE OF CONSIDERING THE LEVY OF AN ASSESSMENT FOR
CARPINTERIA LIGHTING, LANDSCAPING AND RIGHT-OF-WAY IMPROVEMENT
DISTRICT NO. 3
FOR FISCAL YEAR 2024-25**

WHEREAS, Chapter 3, Part 2, Landscaping and Lighting Act of 1972, commencing with Section 22620 of the California Streets and Highways Codes specifies the process for the levy of annual assessments after formation of an assessment district pursuant to the Landscaping and Lighting Act of 1972; and

WHEREAS, the City Council desires to consider an assessment for Fiscal Year 2024-25; and

WHEREAS, the Carpinteria Lighting, Landscaping and Right-of-Way Improvement District No. 3 includes the entire City of Carpinteria, including those parcels created within the City subsequent to the establishment of said District, unless any such parcel is exempt from assessment as provided by law; and

WHEREAS, it is the intention of the City to continue to service and maintain street lights, landscaping and right-of-way in the City.

NOW, THEREFORE BE IT RESOLVED as follows:

SECTION 1. The City Manager shall have the City Engineer prepare and file a report in accordance with Chapter 3, Part 2, Landscaping and Lighting Act of 1972, commencing with Section 22620 of the California Streets and Highways Code for the purpose of consideration of the levy of an assessment for the Carpinteria Lighting, Landscaping and Right-of-Way Improvement District No. 3 for Fiscal Year 2024-25.

PASSED, APPROVED AND ADOPTED on this 25th day of March, 2024, by the following called votes:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

ATTEST:

Mayor, City of Carpinteria

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 March 25, 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

State of Fund Transactions and Financial Condition for the District

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LIGHTING, LANDSCAPING AND RIGHT OF WAY IMPROVEMENT DISTRICT NUMBER 3
STATEMENT OF FUND TRANSACTIONS AND FINANCIAL CONDITION

FUND 33

RIGHT OF WAY FUND

	ACTUAL 2019-20	ACTUAL 2020-21	ACTUAL 2021-22	ACTUAL 2022-23	BUDGET 2023-24
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A. SUMMARY OF FUND TRANSACTIONS:

Fund Balance; July 1	\$ -	\$ (1,665)	\$ (12,572)	\$ (414)	\$ -
Fiscal Year Revenues	355,279	224,586	317,368	354,077	391,250
Fiscal Year Expenditures	356,944	235,493	305,210	353,663	391,250
Fund Balance; June 30	\$ (1,665)	\$ (12,572)	\$ (414)	\$ -	\$ -
Revenue Over/(Under) Expense	\$ (1,665)	\$ (10,907)	\$ 12,158	\$ 414	\$ -

B. BALANCE SHEET, JUNE 30

ASSETS:

Cash in Savings	\$ -	\$ -	\$ -	\$ -	\$ -
Time Deposits	-	-	-	-	-
Accounts Receivable	-	-	-	-	-
Total Assets	-	-	-	-	-

LIABILITIES AND FUND BALANCE:

Accounts Payable	-	-	-	-	-
Fund Balance	-	-	-	-	-
Total Liabilities & Fund Balance	\$ -	\$ -	\$ -	\$ -	\$ -

C. FISCAL YEAR REVENUE DETAIL:

Use of Money & Property	\$ -	\$ -	\$ -	\$ 135	\$ -
District #3 Assessment	\$198,415	\$194,285	\$198,186	\$195,505	\$ 196,900
Prior Years Assessments					
Penalties and Interest	305	628	(423)	204	50
Miscellaneous Revenue	2,684	-	2,500	2,421	10,250
Transfer from Other Funds	153,876	29,673	117,104	155,811	184,050
Total Revenues	\$355,279	\$224,586	\$317,368	\$354,077	\$ 391,250

D. FISCAL YEAR EXPENDITURE DETAIL:

Personnel Expense	\$192,319	\$112,784	\$127,391	\$130,798	\$ 169,950
Right-Of-Way Maintenance (Contract)	52,465	61,733	90,742	114,667	110,250
Street Tree Maintenance (Contract)	-	-	-	-	-
Park Maintenance					
Supplies and Materials	21,141	15,205	34,890	41,518	36,250
Vehicle Operations	-	-	-	-	-
Legal Services					
Other Contract Services	22,871	930	5,918	7,694	6,000
Engineering Expense					
Utilities	35,730	44,841	46,269	58,986	68,800
Other Operating Expense					
Total Operating Expense	324,526	235,493	305,210	353,663	391,250
Transfers Out	32,418	-	-	-	-
Capital Improvements	-	-	-	-	-
Total Capital Outlay Expense	-	-	-	-	-
Total Expenditures	\$356,944	\$235,493	\$305,210	\$353,663	\$ 391,250

ATTACHMENT C
District Boundary Map



City of Carpinteria
Lighting, Landscaping and
Right of Way Improvements District No. 3



City of Carpinteria

COUNCIL AGENDA STAFF REPORT March 25, 2024

ITEM FOR COUNCIL CONSIDERATION

Adoption of Resolution No. 6298, Directing that the Report Required by State Law that the Required Report Be Prepared as a Part of the Process to Continue Parking and Business Improvement Area Assessment District No. 4 for Fiscal Year 2024-25.

STAFF RECOMMENDATION

Adopt the attached Resolution No. 6298, ordering a report by the Downtown "T" Business Advisory Board for the purpose of continuing assessments for the Carpinteria Parking and Business Improvement Area Assessment District No. 4 for Fiscal Year 2024-25.

Sample Motion: I move to adopt Resolution No. 6298, as read by title only, ordering a report by the Downtown "T" Business Advisory Board for the purpose of continuing assessments for the Carpinteria Parking and Business Improvement Area Assessment District No. 4 for Fiscal Year 2024-25.

BACKGROUND

This District was formed in 1986, pursuant to the Parking and Business Improvement Area Law of 1979 (Streets and Highways Code 36500, et. al.) to provide a means of funding downtown promotion, revitalization efforts and public parking within the District. Typically, all businesses within the District pay a flat annual assessment of \$119.25, as was the case in Fiscal Year 2019-20. However, due to the COVID-19 pandemic, the Downtown "T" Business Advisory Board recommended and the City Council approved continuing the District for Fiscal Year 2020-21 and 2021-22, but not levy the general business assessment as a way of supporting Downtown businesses during the pandemic.

The District area includes several sub-areas that were formed historically as a part of funding capital parking projects. See Attachment C. None of the sub-areas are currently active.

Sub-Area "A" – Parking Lot No. 1

Parking Lot No. 1 is located on Ninth Street between Yucca Lane and Elm Street. The funding program for this parking lot, which was financed through the sale of serial bonds,

was paid off in 1988 by means of property assessments on the individual property owners. In FY 1996-97 an assessment fee was levied on businesses adjacent to Parking Lot No. 1 to reimburse the City for half of the costs incurred for resurfacing the parking lot. Final payments on this assessment were completed in June 2006.

Sub-Area "B" – Parking Lot No. 3

Parking Lot No. 3 is located at the Amtrak Station on Linden Avenue and Fifth Street. Parking Lot No. 3 was completed in FY 1989-90. SB 959 Grant monies were used on this project and, since this lot was intended to benefit both the Downtown and the beach area, a portion of the cost was funded through the Tidelands Trust Fund as well as the City's General Fund. Businesses located in the proximity of Parking Lot No. 3 were levied an assessment fee. The debt was retired in June 2017.

Sub-Area "C" – Parking Lot No. 2

Parking Lot No. 2 is located on Cactus Lane. The funding program for this parking lot was established in FY 1987-88. SB 959 Grant monies were used to fund a portion of the cost and funding of the balance was equally shared by the City and the businesses adjacent to Parking Lot No. 2. The business share of the assessment was paid off in June 1997.

Most recently, Parking Lot No. 2 was completely rebuilt with new pavement, storm water capture system, and lighting and landscaping improvements. This project was paid for by various City funds including Measure A, Measure X, Road Maintenance & Rehabilitation Account, and the Parking Business and Improvement Area Fund.

The Downtown "T" Business Advisory Board provides oversight and budget recommendations for spending the general business promotion assessments.. Examples of expenditures include funding of downtown promotions such as the two holiday parades, the Halloween Safe Trick or Treat event, as well as the Downtown banner program and a courtesy map.

DISCUSSION

The Downtown "T" Business Advisory Board (DTBAB) has a duty to prepare and present an Annual Report to the City Council that addresses all matters relating to the Assessment District, including the methods and basis of levying the assessments and recommendations on the use of funds collected by the District. Additionally, the Board makes recommendations to the City Council for general promotion of business activities, economic growth, and stability of the District, and general maintenance issues within the Downtown "T". The ordering, preparation and presentation of the Annual Report are also required steps in the process for renewal of the District.

The following is the sequence of events for continuing this District:

March 25, 2024 - Adopt a resolution ordering the preparation of the Annual Report.

April 22, 2024 - Staff presents Annual Report with recommendations.
Adopt resolution accepting report.
Adopt resolution setting the matter for a public hearing.

May 20, 2024 - Hold public hearing on proposal to continue District.
Adopt resolution continuing District and levying assessments for Fiscal Year 2024-25.

POLICY CONSISTENCY

The District funds work that is consistent with the City's intent in supporting the local economy, in particular, the Downtown Business District. This item is in conformance with the requirements laid out in Chapters 3 and 4 of the "Parking and Business Improvement Area Law of 1989" of the California Streets and Highways Code.

FINANCIAL CONSIDERATIONS

Any financial impact to the City is incidental staff time in working with the Downtown "T" Business Advisory Board to prepare the Annual Report of Assessment District No. 4. The financial condition of the District is shown on Attachment B.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

Assessments for District No. 4 are made on businesses located within the improvement area; not on property owners. As such these assessments are not subject to the provisions of Proposition 218. It is possible to establish a district that is property based making collections through the County property tax roll. Such a district and assessments would; however, be subject to Proposition 218 requirements.

OPTIONS

1. Adopt the attached Resolution No. 6298, ordering a report by the Downtown "T" Business Advisory Board for the purpose of continuing assessments for the Carpinteria Parking and Business Improvement Area Assessment District No. 4 for Fiscal Year 2024-25.
2. The City Council could choose not to order the preparation of the Annual Report; however, by omitting this step, the District would not be continued for Fiscal Year 2024-25.

PRINCIPAL PARTIES EXPECTED AT MEETING

There are no expected parties at the meeting.

ATTACHMENTS

Attachment A: Resolution No. 6298
Attachment B: State of Fund Transactions and Financial Condition for the District
Attachment C: District Boundary Map

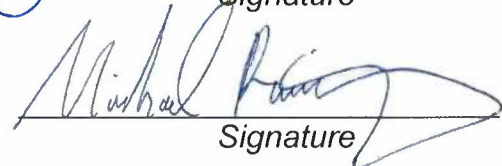
Staff contact:
Stephon Downes, Management Analyst
(805) 755-4446; stephond@carpinteriaca.gov


Signature

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


Signature

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


Signature

ATTACHMENT A

Resolution No. 6298

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RESOLUTION NO. 6298

**A RESOLUTION OF THE
CITY COUNCIL OF THE CITY OF CARPINTERIA
ORDERING THAT A REPORT BE PREPARED
IN ACCORDANCE WITH CHAPTERS 3 AND 4 OF THE
"PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989" OF THE
CALIFORNIA STREETS AND HIGHWAYS CODE, AS AMENDED,
COMMENCING WITH SECTION 36500,
FOR THE ACQUISITION, CONSTRUCTION OR MAINTENANCE OF
PARKING FACILITIES AND OTHER ELIGIBLE IMPROVEMENTS AND
BUSINESS PROMOTION ACTIVITIES
IN THE CENTRAL BUSINESS DISTRICT OF THE CITY OF CARPINTERIA,
FOR THE FISCAL YEAR COMMENCING JULY 1, 2024 AND ENDING JUNE 30, 2025
CARPINTERIA PARKING AND BUSINESS IMPROVEMENT AREA DISTRICT NO. 4**

WHEREAS, the Carpinteria City Council did form an assessment district pursuant to the "Parking and Business Improvement Area Law of 1979", being Division 18, Part 6 of the Streets and Highways Code of the State of California, commencing with Section 36500; and

WHEREAS, said formation of the Carpinteria Parking and Business Improvement Area District No. 4 was accomplished by adoption of Ordinance No. 393 on September 8, 1986, following public hearings as prescribed by the Parking and Business Improvement Area Law of 1979; and

WHEREAS, said District No. 4 has been continued in full force and effect in subsequent fiscal years; and

WHEREAS, effective January 1, 1990, said Parking and Business Improvement Area Law of 1979 was repealed by the State of California and replaced by the Parking and Business Improvement Area Law of 1989, being Division 18 of Part 6 (commencing with Section 36500) of the California Streets and Highways Code; and

WHEREAS, Article 3 of Chapter 1 of said 1989 Improvement Area Law (Section 36515) provides that any Parking and Business Improvement Area created prior to January 1, 1990, under the prior 1979 law, continues to be in full force and effect, subject to certain conditions, under the 1989 law; and

WHEREAS, Chapter 3 (Assessments) and Chapter 4 (Modification of Boundaries) of said 1989 Improvement Area Law (commencing with Section 36530) prescribes the process for levying assessments, including appointment of an advisory board and requires said board to make a report to the City Council on all matters relating to said Improvement Area prior to the City Council taking any action on said assessments or boundaries for the next fiscal year starting July 1, 2024; and

WHEREAS, it is necessary for the public safety, convenience and economic health of the City that efforts to provide off-street public parking and other improvements and business promotion activities within the central business district be continued; and

WHEREAS, the City Council wishes to consider continuing the existing Parking and Business Improvement Area District No. 4 for Fiscal Year 2024-25 including the various programs and assessments associated therewith.

NOW, THEREFORE BE IT RESOLVED as follows:

SECTION 1. The Carpinteria City Council does hereby resolve, determine and order that a Report be prepared by the Downtown "T" Business Advisory Board pursuant to Chapters 3 and 4 of the California Parking and Business Improvement Area Law of 1989, being Part 6 of Division 18 (commencing with Section 36530) of the California Streets and Highways Code, for the fiscal year starting July 1, 2024 and ending June 30, 2025, including programs for the acquisition, construction or maintenance of off-street public parking and such other eligible improvements and business promotion activities, including proposed assessments and boundary adjustments, if any.

PASSED, APPROVED AND ADOPTED this 25th day of March 2024 by the following called vote:

AYES: COUNCIL MEMBER:

NOES: COUNCIL MEMBER:

ABSENT: COUNCIL MEMBER:

ABSTAIN: COUNCILMEMBER:

Mayor, City of Carpinteria

ATTEST:

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

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

State of Fund Transactions and Financial Condition for the District

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**PARKING AND BUSINESS IMPROVEMENT AREA DISTRICT NUMBER 4
STATEMENT OF FUND TRANSACTIONS AND FINANCIAL CONDITION**

FUND 210

PARKING AND BUSINESS IMPROVEMENT AREA FUND

ACTUAL	ACTUAL	ACTUAL	ACTUAL	BUDGET
2019-20	2020-21	2021-22	2022-23	2023-24

A. SUMMARY OF FUND TRANSACTIONS:

Fund Balance; July 1	\$ 62,920	\$ 45,570	\$ 26,962	\$ 14,126	\$ 18,615
Fiscal Year Revenues	16,228	604	1,953	17,377	15,200
Fiscal Year Expenditures	33,578	19,212	14,789	12,888	15,300
Fund Balance; June 30	\$ 45,570	\$ 26,962	\$ 14,126	\$ 18,615	\$ 18,515

Revenue Over/(Under) Expense	\$ (17,350)	\$ (18,608)	\$ (12,836)	\$ 4,489	\$ (100)
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B. BALANCE SHEET, JUNE 30

ASSETS:

Cash in Savings	\$ 45,570	\$ 26,962	\$ 14,126	\$ 18,615	\$ 18,515
Accounts Receivable	-	-	-	-	-
Total Assets	45,570	26,962	14,126	18,615	18,515

LIABILITIES AND FUND BALANCE:

Accounts Payable	-	-	-	-	-
Fund Balance	45,570	26,962	14,126	18,615	18,515
Total Liabilities & Fund Balance	\$ 45,570	\$ 26,962	\$ 14,126	\$ 18,615	\$ 18,515

C. FISCAL YEAR REVENUE DETAIL:

Use of Money & Property	\$ 2,439	\$ 137	\$ (247)	\$ 495	\$ 200
Assessment General Business District #4 Assessment	\$ 13,789	\$ 467	\$ -	\$ 14,883	\$ 15,000
Transfer from Other Funds	-	-	2,200	2,000	-
Total Revenues	\$ 16,228	\$ 604	\$ 1,953	\$ 17,377	\$ 15,200

D. FISCAL YEAR EXPENDITURE DETAIL:

Personnel Expense	\$ -	\$ 5,306	\$ 3,704	\$ 662	\$ -
Marketing Materials	4,218	3,592	3,671	5,624	12,200
Street Maintenance	13,437	4,950	4,800	4,666	-
Printing & Advertising	201	-	1,187	458	800
Dues & Subscriptions	-	381	625	673	1,550
Supplies & Materials	-	747	802	805	750
Equipment/Office Rent & Leases	-	4,236	-	-	-
Transfer Out	15,722	-	-	-	-
Total Operating Expense	33,578	19,212	14,789	12,888	15,300

Capital Improvements	-	-	-	-	-
Total Capital Outlay Expense	-	-	-	-	-
Total Expenditures	\$ 33,578	\$ 19,212	\$ 14,789	\$ 12,888	\$ 15,300

ATTACHMENT C
District Boundary Map

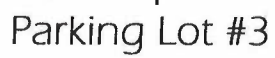
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District Boundaries of Carpinteria
Parking and Business Improvement Area
District No. 4



Sub-Area "A"



Sub Area “B”



Parking Lot #2



City of Carpinteria

COUNCIL AGENDA STAFF REPORT March 25, 2024

ITEM FOR COUNCIL CONSIDERATION

Adoption of Resolution No. 6299, Directing the Report Required by State Law be Prepared as a Part of the Initiation of Procedures to Continue Winter Protection Berm Assessment District No. 5 for Fiscal Year 2024-25.

STAFF RECOMMENDATION

Adopt the attached Resolution No. 6299, as read by title only, ordering the preparation of a report describing the Winter Protection Berm Program and associated assessment and continue the Winter Protection Berm Assessment District No. 5 for Fiscal Year 2024-25.

Motion: I move to adopt Resolution No. 6299, as read by title only.

BACKGROUND / DISCUSSION

The Winter Protection Berm Assessment District No. 5 (District) was formed by Resolution No. 3061, dated December 14, 1992. The District funds the annual construction and removal of the winter protection berm along Carpinteria City Beach. The annual construction and removal are necessary to provide storm wave and coastal flooding protection to the public and private improvements within the District. The District includes all properties immediately adjacent to Carpinteria City Beach from Linden Avenue to Ash Avenue.

The attached Resolution No. 6299 directs the Public Works Director to prepare the District report pursuant to Streets and Highways Code 10200 et seq., which will then be presented at a subsequent public meeting. The preparation of the Engineer's Report is the first step in a process to consider the annual renewal of the District. The District report is scheduled to be heard at the City Council Meeting of April 22, 2024, pending the adoption of Resolution No. 6299.

POLICY CONSISTENCY

The City's winter protection berm is an important public safety project that protects public and private property improvements along the City Beach in the City of Carpinteria. The intended purpose of the berm is to provide a measure of protection to

the housing front and public improvements on the Carpinteria City Beach. Protection is needed during the winter in the event of a severe winter storm. Historically, powerful waves generated by large Pacific Ocean storms have been known to overrun and flood local beaches and coastal structures. The winter protection berm is intended to help reduce the frequency of damage to these improvements that otherwise might occur if no berm was built.

The Safety Element of the City's General Plan and Local Coastal Plan states the following:

Objective S-4: Minimize the potential risks and reduce the loss of life, property and the economic and social dislocations resulting from flooding.

Further policy consistency may be found in the Safety Element's Implementation Measure No.13:

13. The City shall support and facilitate the current Army Corps of Engineers (ACOE) feasibility study and otherwise pursue long-term solutions for beach nourishment and establishment of a vegetated dune system at City Beach. As an interim measure, and with permission from the Coastal Commission and IJS Army Corps of Engineers, the City may construct a sand berm on the City Beach parallel to the homes fronting on the beach.

FINANCIAL CONSIDERATIONS

There is no financial analysis included as a part of this staff report.

LEGAL

There are no legal issues presented as a part of this report.

OPTIONS

1. Adopt the attached Resolution No. 6299, as read by title only, ordering the preparation of a report describing the Winter Protection Berm Program and associated assessment and continue the Winter Protection Berm Assessment District No. 5 for Fiscal Year 2024-25.
2. The City Council could choose to not approve the recommendation and direct staff as determined appropriate. However, by omitting this step, the District would not be continued for Fiscal Year 2024-25.

PRINCIPAL PARTIES EXPECTED AT MEETING

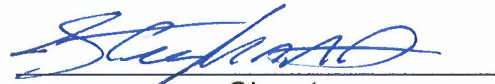
There are no principal parties expected at the meeting.

ATTACHMENTS

Attachment A: Resolution No. 6299

Staff contact:

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


Signature

Staff contact:

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


Signature

Reviewed by:

Michael Ramirez, City Manager
(805) 755-4400; michaelr@carpinteriaca.gov


Signature

ATTACHMENT A

Resolution No. 6299

RESOLUTION NO. 6299

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA INITIATING PROCEEDINGS FOR THE CONTINUATION OF ASSESSMENT DISTRICT NO. 5.

WHEREAS, The Carpinteria City Council proposes to set the amount of the annual assessment to be collected for fiscal year 2024-25 pursuant to the Municipal Improvement Act of 1913 (section 10000 and following, Streets and Highways Code) for the purpose of constructing the following improvements:

The annual installation and removal of the Carpinteria Beach Winter Protection Berm project located along the entire length of the Carpinteria City Beach between Linden Avenue on the east to Ash Avenue to the west. The annual winter sand berm project benefits the public and private improvements within the District's boundaries by providing a measure of protection from winter ocean waves and ocean flooding, and

WHEREAS, the funds collected by the proposed assessment are specifically to be used for the Assessment District Number Five project costs, in the City of Carpinteria, Santa Barbara County, California, and shall be collected from all the benefitting land shown inside the District's boundaries on the map designated, "Assessment Diagram, Assessment District No. 5, City of Carpinteria, Santa Barbara County, California," which map is on file with the City Clerk and is hereby approved.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The Public Works Director of the City of Carpinteria is hereby designated Engineer for the purpose of these proceedings.

SECTION 2. The City Council hereby directs the Public Works Director to prepare and file with the City Clerk a report in accordance with §10204 of the Municipal Improvement Act of 1913, Streets and Highway Code.

SECTION 3. The Report shall be filed with the City Clerk and shall be presented to the City Council for consideration on April 22, 2024, at 5:30 pm or as soon thereafter as the matter may be heard.

PASSED, APPROVED AND ADOPTED on the 25th day of March, 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 March 25, 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



City of Carpinteria

COUNCIL AGENDA STAFF REPORT March 25, 2024

ITEM FOR COUNCIL CONSIDERATION

Adoption of Resolution No. 6300, Approving Appointments to, and a Removal from, the Downtown "T" Business Advisory Board.

STAFF RECOMMENDATION

Adopt Resolution No. 6300, approving appointments to, and a removal from, the Downtown 'T' Business Advisory Board.

Sample Motion: I move to adopt Resolution No. 6300, as read by title only, approving the appointment of _____ as an assessment-paying member to the Downtown "T" Business Advisory Board and appointment of _____ and _____ as alternate assessment-paying members to the Downtown "T" Business Advisory Board; and remove Warner Ebbink as an alternate assessment-paying member due to consecutive unexcused absences.

BACKGROUND

The Downtown "T" Business Advisory Board (formerly the Parking and Business Improvement Area Advisory Board or PBIAAB) was formed in 1990 (via Resolution No. 1882) in order to comply with a change in State law that required the appointment of an advisory board to make recommendations to the City Council on the use of Business Improvement District funds collected through assessments. The Carpinteria Parking and Business Improvement Area District was formed in 1986 and has operated continuously since that time. The composition of the Downtown "T" Business Advisory Board was changed due to the dissolution of the Carpinteria First Committee via Resolution No. 5902 in June 2019.

The City has received the attached three applications (Attachment A) from three business owners in the Parking and Business Improvement Area District No. 4 for the Downtown "T" Business Advisory Board (DTBAB). The City Council Boards, Commissions, and Committees Review Committee reviewed and recommended certain persons for the vacant positions on the DTTBAB and the purpose of this agenda

matter is for the Council to consider making appointments to, and a removal from, the DTBAB.

DISCUSSION

The City has received three applications from three business owners within the Parking and Business Improvement Area Assessment District No. 4. There is currently one vacancy for an assessment-paying member and two vacancies for two alternate assessment-paying members. All three applicants qualify for either the assessment-paying member or alternate assessment-paying member available positions. Alternate Assessment-Paying Member Warner Ebbink has not attended a meeting of the Downtown "T" Business Advisory Board since being appointed. Carpinteria Municipal Code Section 12.28.080 (Tree Advisory Board) states that in the event a member is absent more than two consecutive meetings, unless excused by the Chair, the position of such member shall be deemed vacant. The City follows this practice for all City Boards, Commissions, and Committees and staff is recommending the removal of Mr. Ebbink as an alternate assessment-paying member from the Downtown "T" Business Advisory Board.

The City Council Boards, Commissions, and Committees Review Committee (Committee) met with staff on March 21, 2024 and reviewed the received applications and the request to remove alternate assessment-paying member Warner Ebbink due to consecutive unexcused absences. The Committee recommended appointment of Andre Jackson as an Assessment-Paying Member, Kevin Murphy and Louis Torres as Alternate Assessment-Paying Members, and the removal of Warner Ebbink.

Below is a more detailed explanation of the current membership composition, responsibilities, meeting schedule, and funding for the DTBAB:

Boardmember Composition/Qualifications

As established by Resolution No. 5902, the current composition of the DTBAB consists of a total of seven members plus three alternate members. Four members must be assessment-paying members of the Parking and Business Improvement Area District No. 4, three members are at-large, and there are an additional three alternate assessment-paying members. The at-large members may be any qualified individuals as determined by the City Council, but preferably business-related and representative of the Parking and Business Improvement Area Assessment District No. 4. See table below for currently filled and vacant positions on the DTBAB.

Current Composition of Downtown "T" Business Advisory Board	
Member	Member Type
Kristina Calkins	Assessment-Paying Member

Marv Beth Radley	Assessment-Paying Member
Richard Mancilla	Assessment-Paying Member
VACANT	Assessment-Paying Member
Lorraine McIntire	At-Large Member
Michelle Carlen	At-Large Member
Tina Frontado	At-Large Member
Warner Ebbink	Alternate Assessment-Paying Member
VACANT	Alternate Assessment-Paying Member
VACANT	Alternate Assessment-Paying Member

Board Responsibilities

In compliance with local and State regulations, the DTBAB makes recommendations to the City Council concerning the use of revenues collected through Parking and Business Improvement Area Assessment District No. 4 for general promotion of business activities, economic growth and stability in said district, and general maintenance issues within the Downtown 'T'. The Board prepares and presents an Annual Report to the City Council that addresses all matters related to Parking and Business Improvement Area Assessment District No. 4, including the methods and basis of levying the assessments and recommendations on use of funds collected by said district.

Meeting Schedule

The DTBAB meets on the first Thursday of every other month at City Hall (i.e. January, March, etc.).

Funding

The revenues and expenses for operation of Parking and Business Improvement Area Assessment District No. 4 activities are accounted for in the City's PBIA Fund. All assessment revenues are expended within the District.

Attendance and Removal

Per 12.28 of CMC, *"In the event a member of the board shall not attend two consecutive regular meetings, unless excused by the chairman of the board for good cause, the position of such member shall be deemed to be vacant, and the term of such member terminated, and the mayor notified immediately by the chairman of such termination."*

POLICY CONSISTENCY

Appointments to the DTBAB are compliant with the Parking and Business Improvement Area Law of 1989 of the California Streets and Highways Code. The

City Council has the authority to determine the makeup of the board pursuant to said law.

FINANCIAL CONSIDERATIONS

There will be no effect on the General Fund or PBIA Fund with the proposed appointments to and the removal from the DTBAB.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

Per the Streets and Highways Code Section 36530, the City Council has full discretion in the composition, qualifications, and selection of the DTBAB members

OPTIONS

1. Adopt Resolution No. 6300, approving appointments to and a removal from the Downtown 'T' Business Advisory Board.
2. Decline to adopt Resolution No. 6300 and provide further direction to staff.

PRINCIPAL PARTIES EXPECTED AT MEETING

There are no expected parties at the meeting.

ATTACHMENTS

Attachment A: Received Applications
Attachment B: Resolution No. 6300

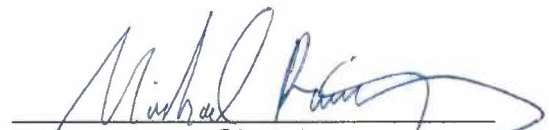
Staff contact:
Stephon Downes, Management Analyst
(805) 755-4446; stephond@carpinteriaca.gov


Signature

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


Signature

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


Signature

ATTACHMENT A
Received Applications

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

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

RECEIVED
CITY OF CARPINTERIA

MAR 8 2024

BRIAN C. BARRETT
CITY CLERK

BOARD, COMMISSION OR COMMITTEE APPLYING FOR:
DTBAB

APPLICANT: André M. Jackson

Name

Home Address

910 Linden Ave, Carpinteria CA 93013

Business Address

Email

Phone Number(s)

Are you a resident of the City of Carpinteria? yes

EXPERIENCE/BACKGROUND:

I worked 18 years in the finance and insurance industry serving our local areas, now a local business owner.

Education

I attended University of Oregon and Portland State University, ultimately leaving in my 5th year to tour internationally playing music.

Present Occupation (Please describe any relevant past work experience.)

I'm the new owner of Corktree Cellars, and have been a local for several years. I've also been a local musician at many venues in town and have family who live in Carpinteria.

Memberships in Organizations

I'm joining the Carp Rotary and possibly the Alcazar board.

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

I was just made aware of the this association and felt it would be beneficial to have more representation

of local business owners on the board, especially with all the current events and pending growth of our

downtown and small community. I would like to be more aware and involved and hopefully continue the good work being done.

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

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

THIS APPLICATION MUST BE SIGNED AND DATED

Signature

Date

2/7/2024



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

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

RECEIVED
CITY OF CARPINTERIA

MAR 01 2024

BRIAN C. BARRETT
CITY CLERK

BOARD, COMMISSION OR COMMITTEE APPLYING FOR:

Downtown "T" Business Advisory Board

APPLICANT: Andre M. Jackson

Name

Are you a current incumbent on a City Board, Commission or Committee? Yes ___ No ✓; if so, which Board, Commission or Committee do you serve on? _____

Please respond to the following questions (attach additional sheets as needed):

See attached

What skills and experience do you bring to make you a successful board/commission/committee member? _____

What would an effective tenure on this Board/Commission/Committee look like to you? How would you measure the group's success? _____

In your opinion, what would the core duties be for a member of this Board/Commission/Committee? _____

How would you take an active role on this Board/Commission/Committee, both as a member of the larger group, and as an individual? _____

Can you give us an example of a time when you worked collaboratively with a team on a common goal?

What do you think the biggest challenges are right now for Downtown "T" businesses?

How would you work with local businesses to identify matters of improvement in the Downtown Business District?

DTBAB Questionnaire:

What skills & experience...

I live in Carpinteria and am a local business owner, and my family has decades of history in the Santa Barbara and Carpinteria communities. I raised my family nearby and worked closely with our local school district in a professional capacity. My previous career was in finance and insurance, working with school districts and cities. I'm a good communicator one on one, or in front of a crowd. I have compassion for our locals and tourists. I'm fairly financially savvy, and am considered a mother figure to many.

What would an effective tenure...

I would hope this group will help bridge the gap between business owners, city officials and Carpinteria locals. Helping effectively communicate hot topics and contribute resources where they'll make the most impact. Keeping business owners and our employees informed and prepared for changes. Ultimately, I'd love to see Carpinteria culture maintained.

Core duties..

Commitment to meetings, events and supporting the DTBAB efforts. Encouraging involvement from our community members and other business owners on events and local causes. Representing female owned businesses. Learning more about how our city best operates and regulates all the goings on within our city limits. Preserving Carpinteria, while also helping our economy

How would I take an active role...

Honestly, I think one of the most important things that we need to enhance is communication from city offices to locals on events, growth, changes and how to be involved. I need to spend time learning current events and concerns, and then offer my time and ideas where they can be the most helpful.

Examples of team..

Currently I run a team of servers daily at my restaurant in an effort to ensure our patrons have the best experience possible. Previously I was a sales team manager covering two states for a national insurance company. Also, I am a singer in a local band, and we are always collaborating and making sure we put the best show on possible. In all of these arenas there are curveballs at any given time that can derail the progress, but I've learned how to keep positive results pretty successfully.

Biggest challenges..

It's expensive to do business. The cost of the real estate, goods & services, labor, etc. make it a daily challenge. As well as the prospect of so many new businesses about to open up. The new tourism/traffic will be beneficial, theoretically, but there's also the potential of competitive challenges.

Woke with local businesses...

Again, I think conversation/communication is key. Finding out how all my neighbors feel regarding topics at hand. What concerns they may have, but not know where or how to address them. Helping be an advocate and/or ambassador via this committee is a wonderful opportunity.



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

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

RECEIVED
CITY OF CARPINTERIA

FEB 20 2024

BRIAN C. BARRETT
CITY CLERK

BOARD, COMMISSION OR COMMITTEE APPLYING FOR:

APPLICANT: Kevin Murphy

Name

Home Address

977 Linden Ave.

Business Address Carpinteria Ca. 93013

Email

805-318-5506 (Business)

Phone Number(s)

Are you a resident of the City of Carpinteria? yes

EXPERIENCE/BACKGROUND:

Ukr. College

Education

Store Owner - 40 yrs outside sales

Present Occupation (Please describe any relevant past work experience.)

Memberships in Organizations

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

To Be A part of, and to help invigorate, the downtown area. To its full potential.

Please list City Commission/Committee/Board (including dates) you are currently serving on or have served on: 0

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

THIS APPLICATION MUST BE SIGNED AND DATED

Signature

Date

FEB 8 - 2024



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

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

RECEIVED
CITY OF CARPINTERIA

FEB 20 2024

BRIAN C. BARRETT
CITY CLERK

BOARD, COMMISSION OR COMMITTEE APPLYING FOR:
Downtown "T" Business Advisory Board

APPLICANT: Kevin Murphy
Name

Are you a current incumbent on a City Board, Commission or Committee? Yes ___ No X; if so, which Board, Commission or Committee do you serve on? _____

Please respond to the following questions (attach additional sheets as needed):

What skills and experience do you bring to make you a successful board/commission/committee member? 40 yrs. outside sales, in commercial and retail industry.

What would an effective tenure on this Board/Commission/Committee look like to you? How would you measure the group's success? A compilation of different types of businesses that can offer view points on how to reach our goals.

In your opinion, what would the core duties be for a member of this Board/Commission/Committee?

To implement whatever is decided by committee, to create more activity in the downtown area for both visitors and locals.

How would you take an active role on this Board/Commission/Committee, both as a member of the larger group, and as an individual?

To create an environment that is open to all ideas and how to meet those goals. Hopefully old and new businesses would be apart of.

Can you give us an example of a time when you worked collaboratively with a team on a common goal?

worked on a Reggie event in Pt. Hueneme (sponsee)
Accented events with Alcazar

What do you think the biggest challenges are right now for Downtown "T" businesses?

The speed and action steps to implement
any ideas.

How would you work with local businesses to identify matters of improvement in the Downtown Business District?

Since we are one of those individuals
whose open 7 days a week. we all can find
"matters" that we all identify with that need
improvements.



**CITY OF CARPINTERIA
APPLICATION FOR APPOINTMENT
TO A CITY BOARD, COMMISSION OR
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Carpinteria, CA 93013

RECEIVED
CITY OF CARPINTERIA

MAR 07 2024

BOARD, COMMISSION OR COMMITTEE APPLYING FOR:
Downtown Advisory Board

**BRIAN C. BARRETT
CITY CLERK**

APPLICANT: Louis Force Torres

Name

Home Address

892 Linden Ave. Carpinteria, CA 93013

Business Address

Email

Phone Number(s)

Are you a resident of the City of Carpinteria? Yes

EXPERIENCE/BACKGROUND:

B.A. Graphic and Digital Design

Education

Publisher, Director, Retail Business Owner

Present Occupation (Please describe any relevant past work experience.)

Independent Book Publishers Association, Benjamin Franklin Book Awards (judge), Editorial Committee IBPA Magazine, Consultant-Adizes Institute,

Memberships in Organizations

I am passionate and professional, but creative. This combination often allows me to observe opportunities that may have been overlooked.

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

I often have a sense of future items that may affect an industry or region. I feel that as a business person

within a changing downtown area that this will be valuable for a committee of like-minded community business owners and the community overall.

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

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

THIS APPLICATION MUST BE SIGNED AND DATED

Louis Force Torres

Signature

1/17/2024

Date



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

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

RECEIVED
CITY OF CARPINTERIA

MAR 07 2024

BRIAN C. BARRETT
CITY CLERK

BOARD, COMMISSION OR COMMITTEE APPLYING FOR:
Downtown "T" Business Advisory Board

APPLICANT: Louis Force Torres

Name

Are you a current incumbent on a City Board, Commission or Committee? Yes ___ No ☒; if so, which Board, Commission or Committee do you serve on? I have served on committees, but not with the City of Carpinteria.

Please respond to the following questions (attach additional sheets as needed):

What skills and experience do you bring to make you a successful board/commission/committee member? Publishing and business professional. Many years experience in consulting, executive, and board type positions.

What would an effective tenure on this Board/Commission/Committee look like to you? How would you measure the group's success? Obtainable goals and open communication between members and the community.

In your opinion, what would the core duties be for a member of this Board/Commission/Committee?

Understand the wants and needs of the downtown area in Carpinteria, CA.

Communicate those wants and needs effectively, as well as streamlining the use of funds for these purposes.

How would you take an active role on this Board/Commission/Committee, both as a member of the larger group, and as an individual? Ask important questions. Address important needs.

Remove self interest and personal goals from overall committee goals.

Can you give us an example of a time when you worked collaboratively with a team on a common goal?

I was the director of an international publishing house for 5-years. In that time we had many projects involving different cultures, professionals, time-zones, etc.

This taught me quite a bit about people, groups, and differing forms of communication.

What do you think the biggest challenges are right now for Downtown "T" businesses?

More efficient thinking. A stable plan to draw the attention of voices from the community, and a way to unite those voices into coherent plans of communication so that the city and the committee are aligned.

How would you work with local businesses to identify matters of improvement in the Downtown Business District?

Bring a large scale business mind set with the heart of small business. Understand not just the businesses, but who owns the properties, the restrictions of law versus the restrictions of community and culture. Focus on positive win-win-win outcomes - so we can all go home happy. It won't work everytime, but it is a good goal, and obviously not attainable in every scenario, but this is why we need to focus on community communication.

ATTACHMENT B

Resolution No. 6300

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RESOLUTION NO. 6300

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, APPROVING APPOINTMENTS TO THE DOWNTOWN "T" BUSINESS ADVISORY BOARD FOR THE TERM ENDING JANUARY 31, 2025

WHEREAS, under the provisions of the Parking and Business Improvement Area Law of 1989 of the California Streets and Highways Code and Resolution No. 5902, the Downtown 'T' Business Advisory Board is composed of a total of seven members plus three alternate members (four members must be assessment-paying members of the Parking and Business Improvement Area District No. 4, three members are at-large, and there are an additional three alternate assessment-paying members); and

WHEREAS, the Downtown 'T' Business Advisory Board serves to make recommendations to the City Council concerning the use of revenues collected through Parking and Business Improvement Area Assessment District No. 4 for general promotion of business activities, economic growth, and stability in said district, and general maintenance issues within the Downtown 'T'.

WHEREAS, several vacancies exist on the Downtown 'T' Business Advisory Board including one assessment-paying member, two alternate assessment-paying members, and one alternate assessment-paying pending removal for consecutive unexcused absences; and

WHEREAS, Carpinteria Municipal Code Section 12.28.080 (Tree Advisory Board) states that in the event a member is absent more than two consecutive meetings, unless excused by the Chair, the position of such member shall be deemed vacant. The City follows this practice for all City Boards, Commissions and Committees; and

WHEREAS, Alternate Assessment-Paying Member Warner Ebbink has not attended a Downtown "T" Business Advisory Board since being appointed and staff recommends the Council remove Mr. Ebbink as an alternate assessment-paying member from the Downtown "T" Business Advisory Board; and

WHEREAS, said vacancies have been duly noticed and advertised as required and all interested persons have been invited to submit an application for consideration for appointment to fill said vacancies, and pending removal has been noticed to the Mayor; and

WHEREAS, three applications to the Downtown 'T' Business Advisory Board were received; and

WHEREAS, the City Council Boards, Commissions, and Committees Review Committee has reviewed and recommended persons who have indicated an interest in serving and the City Council has appointed certain persons to the Downtown "T" Business Advisory Board.

NOW, THEREFORE BE IT RESOLVED as follows:

SECTION 1. The above recitals are true and correct.

SECTION 2. The Carpinteria City Council hereby resolves that the following appointments and removals are approved and confirmed effective March 25, 2024, and that such appointments are to continue in effect at the pleasure of the City Council for the term ending January 31, 2025.

APPOINTED TO THE DOWNTOWN "T" BUSINESS ADVISORY BOARD

REMOVAL FROM THE DOWNTOWN "T" BUSINESS ADVISORY BOARD

PASSED, APPROVED AND ADOPTED this 25th day of March 2024 by the following called vote:

AYES: COUNCIL MEMBER:

NOES: COUNCIL MEMBER:

ABSENT: COUNCIL MEMBER:

ABSTAIN: COUNCILMEMBER:

Mayor, City of Carpinteria

ATTEST:

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

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



City of Carpinteria

COUNCIL AGENDA STAFF REPORT March 25, 2024

ITEM FOR COUNCIL CONSIDERATION

Approval of the Agreement between the City of Carpinteria and The South Coast Community Media Access Center (CMAC dba TV Santa Barbara).

STAFF RECOMMENDATION

Approve the Agreement between the City of Carpinteria and The South Coast Community Media Access Center.

Sample Motion: I move to authorize the Mayor to sign the Agreement between the City of Carpinteria and The South Coast Community Media Access Center. *(This motion requires a roll call vote.)*

BACKGROUND

The history of Carpinteria's involvement with public access television began in 1981 with the City of Santa Barbara's creation of the Cable Television Advisory Committee (CTAC), and continued in 1985 with the establishment of the Public Access Advisory Committee (PAAC). During this time and through 2003, Public and Educational Access programming was managed by Cox Communications.

In 2001, Santa Barbara County staff recommended that Public and Educational Access television would be best served by a non-profit organization. After much discussion and planning by the PAAC members, the Community Media Access Center was officially established on January 1, 2003. The City entered into an agreement with The South Coast Community Media Access Center in November 2004, which expired in October 2018. The second agreement was executed in August 2019 and expired in August 2022.

CMAC is responsible for the operation of both Public Access (Channel 17) and Educational Access (Channel 71) in the cable franchise areas served by Cox Communications. In addition to programming, CMAC provides Carpinteria residents with access to equipment and studio space that can be used for community-based programming.

At the September 25, 2023 Council meeting, a member of the public requested broadcasting the Architectural Review Board meetings. Per Council's direction, staff distributed a memo to Councilmembers on the possibility of broadcasting Architectural Review Board meetings, including on GATV, Granicus, and Zoom as well as adding Zoom broadcast and public comment access to Planning Commission meetings. At the November 13, 2023 Council meeting, the Council directed staff to explore televising and providing Zoom commentary for ARB and adding Zoom commentary to Planning Commission meetings. Attached is a proposed amendment to the agreement with TVSB, which includes a budget adjustment for the additional services.

The purpose of this agenda matter is for the Council to consider approving a successor Agreement between the City and CMAC, including the additional requests of broadcasting the Architectural Review Board meetings on GATV, Granicus, and Zoom as well as adding Zoom broadcast to Planning Commission meetings.

DISCUSSION

Key changes to the agreement include:

- Additional services of broadcasting Architectural Review Board meetings on TVSB, Granicus, and Zoom
- Additional services of broadcasting Planning Commission on Zoom
- TVSB will bill the City on a monthly basis for services rendered instead of the City paying TVSB a flat amount each year

POLICY CONSISTENCY

The proposed agreement with TVSB is 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."*

The agreement is also consistent with the adopted Primary Goal #1 (Enhance public outreach, education and transparency) from the Fiscal Year 2024-25 Annual Work Plan.

FINANCIAL CONSIDERATIONS

No Additional Funding Requested. There is sufficient budget in 217-161-5201 – [Professional Services] for services for the remainder of this fiscal year.

The City currently funds TVSB \$35,000 per year under the existing agreement. The proposed successor agreement increases the funding to \$50,000 (with the additional services provided – approximately 56 hours/month x \$75/hr. x 12 months).

If approved, the agreement will be effective April 1, 2024. The agreement will cover the last nine months of calendar year 2024. The City and TVSB have agreed to prorate the \$50,000 cost to cover only the cost from April through December 2024 as follows:

$9/12 \times (\$50,000) = \$37,500$ (prorated amount for 9 months of CY 2024)

City previously paid \$35,000 in January 2024 per existing agreement.

The difference between \$37,500 and \$35,000 is \$2,500 which is the additional amount due to TVSB with execution of the new agreement.

An additional budget appropriation of \$2,500 is required to Account No. 217-161-5201 (Professional Services); however, the \$2,500 additional appropriation has been included in the Fiscal Year 2023-24 Mid-Year Budget.

The agreement term is five years and expires on March 31, 2029. The funding to TVSB for the first year is \$37,500 (\$35,000 City previously paid in January 2024 and \$2,500 upon execution of agreement), for the next two years an amount not-to-exceed \$50,000 annually, and the last two years an amount not-to-exceed \$60,000 annually. Staff will include the proposed increases in future fiscal year budgets.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

The City Attorney's Office has reviewed the draft agreement.

OPTIONS

1. Approve the Agreement between the City of Carpinteria and The South Coast Community Media Access Center. *(Staff recommendation)*
2. Modify the Agreement.
3. Decline approval of the Agreement and direct staff as appropriate.

PRINCIPAL PARTIES EXPECTED AT MEETING

Erik Davis, Executive Director, TV Santa Barbara (TVSB)

ATTACHMENTS

A: Agreement between City of Carpinteria and the South Coast Community Media Access Center

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

Proposed Agreement with TV Santa Barbara

AGREEMENT
BETWEEN
THE CITY OF CARPINTERIA
AND
THE SOUTH COAST COMMUNITY MEDIA ACCESS CENTER

THIS AGREEMENT ("Agreement") is made and entered into on _____, 2024 by and between **THE CITY OF CARPINTERIA**, a municipal corporation ("City") and **THE SOUTH COAST COMMUNITY MEDIA ACCESS CENTER (dba TV Santa Barbara)**, a California non-profit 501(c)(3) corporation ("TV Santa Barbara").

WITNESSETH:

WHEREAS, the City wishes to provide support for the use of public, education, and government ("PEG") access cable channels provided pursuant to state and federal law; and

WHEREAS, Cox Communications ("Cox") has been granted a state franchise to provide cable/video services in Carpinteria pursuant to the Digital Infrastructure and Video Competition Act of 2006 ("DIVCA") (hereinafter the Cox DIVCA franchise); and

WHEREAS, the City adopted Ordinance No. 720, thereby amending Section 5.70.020 and adding a 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; and

WHEREAS, pursuant to the Cox DIVCA franchise and Chapter 5.71 of the Carpinteria Municipal Code, Cox must provide certain channel capacity, fiber links, and funding for PEG access; and

WHEREAS, TV Santa Barbara has managed a Community Media Center ("CMC") and provided public and educational access programming to the Cities of Carpinteria, Santa Barbara, Goleta, and the County of Santa Barbara since 2004; and

WHEREAS, TV Santa Barbara has managed government access for the City of Carpinteria since 2019, and

WHEREAS, TV Santa Barbara has agreed to continue to serve the City by managing a CMC and providing PEG access programming and services.

NOW THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

I. PURPOSE OF AGREEMENT

The purpose of this Agreement is to recognize TV Santa Barbara as an entity designated by the City to manage the use and operation of public, educational, and government access channels, equipment, facilities and resources. This Agreement is also to establish and maintain the conditions under which TV Santa Barbara will receive City funds.

II. TERM

The term of this Agreement shall begin on April 1, 2024 and shall terminate on March 31, 2029 unless terminated earlier, as provided for in this Agreement. This Agreement may be extended by mutual agreement of the City and TV Santa Barbara.

III. ROLE AND RESPONSIBILITIES OF TV SANTA BARBARA

In exchange for the resources provided by the City to TV Santa Barbara, pursuant to this Agreement, TV Santa Barbara shall provide the following services:

A. Public Access Channel Management. Operate the public access channel(s) in City for public/community access, with the primary purpose being to administer, coordinate and assist those requesting access on a non-discriminatory basis in accordance with applicable state and federal law.

B. Educational Access Channel Management. Operate the educational access channel(s) with the primary purpose being to administer, coordinate and assist educational institutions requesting access on a non-discriminatory basis in accordance with applicable state and federal law.

C. Government Access Channel Production. Provide for professional video production for all meetings taking place at City Hall to include, but not be limited to Carpinteria City Council, Carpinteria School Board, Carpinteria Water Board, Carpinteria Fire, Carpinteria Architectural Board of Review, and the Carpinteria Planning Commission. An estimated 10 meetings will take place each calendar month with an estimated 56 hours per month to include set-up, meeting coverage, programming through Granicus, with two meetings per month delivery to include Zoom. If in a given calendar month, City meetings take less than 48 hours the remaining balance of unused hours shall be carried-over to subsequent calendar months. The total number of estimated meeting hours shall be 506 hours per calendar year. If the City meeting hours exceed 506 hours per calendar year, TV Santa Barbara shall continue to provide professional video production services for meetings at the rates described in Section III.N.

D. Operate a Community Media Center. Operate and manage a community video/media production facility and equipment, in such a manner as to make them available for public use at such hours and times as are reasonably determined by TV Santa Barbara to adequately serve the community. Access to equipment and facilities shall be open to all those who satisfactorily complete training classes provided by TV Santa Barbara, or who receive certification from TV Santa Barbara that identifies said user as having satisfied training requirements through means other than TV Santa Barbara's training classes.

E. Equal Access. Provide access to the use of the equipment, facilities, channels and services provided hereunder on a non-discriminatory basis, pursuant to operating rules promulgated by TV Santa Barbara to all members of the Santa Barbara South County community -- whether individuals, groups or organizations -- for the purposes of non-commercial programming pursuant to operating rules and procedures promulgated by TV Santa Barbara.

F. Develop and Maintain Operating Policies and Procedures. Develop and maintain policies and procedures for use and operation of the PEG access equipment, facilities, and channels that are consistent with best practices in the community media field. The policies and procedures shall be filed with the City and shall be provided to any resident of the City who requests them.

G. Compliance with Laws Rules, and Regulations. Administer the PEG access channels and facilities in compliance with applicable state and local laws, rules, regulations, and in compliance with the Cox DIVCA franchise.

H. Training. Train Santa Barbara South County residents and, when requested, City, school, and college employees on public and educational access channel policies and use and in techniques of media production, and provide technical advice in the execution of productions.

I. Playback Cablecast. Provide for playback and cablecasting of programs on the PEG access channel(s) in a manner that is consistent with best practices in the community media field. TV Santa Barbara shall make all reasonable efforts to cablecast enough locally-produced access programming to avoid loss of channel time due to unused channel capacity.

J. Maintenance of Equipment. Provide regular maintenance and repair of all equipment and facilities purchased with funds received pursuant to this Agreement and/or donated, loaned, or leased to TV Santa Barbara by the City.

K. Promotion. Actively promote the use and benefit of the public, educational, and governmental access channels and facilities to cable subscribers, the public, the City, and educational access users.

L. Fundraising. Undertake fundraising efforts and activities to benefit PEG access programming activities and services as deemed appropriate by TV Santa Barbara, consistent with its obligation to facilitate and promote access programming and provide non-discriminatory access.

M. Other Activities. Undertake other PEG access programming activities and services as deemed appropriate by the TV Santa Barbara and consistent with the obligation to facilitate and promote PEG access programming and provide non-discriminatory access.

N. Provide Additional Government Access Services. Upon request by the City, TV Santa Barbara will provide additional media/video production services in addition to those described in Section III.A-M to include, but not be limited to City events, public service announcements, video content in support of the City website, and other public relations and social media initiatives. The charges for those services are as follows:

April 1, 2024 – March 31, 2027

- a. Additional Meeting Coverage: \$85 per hour
- b. Video Production Services to include Editing: \$85 per hour
- c. Zoom: \$85 per hour
- d. Maintenance, Training and Tech Support: \$85 per hour

April 1, 2027 – March 31, 2029

- a. Additional Meeting Coverage: \$100 per hour
- b. Video Production Services to include Editing: \$100 per hour
- c. Zoom: \$85 per hour
- d. Maintenance, Training and Tech Support: 100 per hour

IV. LOCATION OF PRINCIPAL OFFICE

The principal office and all satellite offices for the transaction of business for TV Santa Barbara shall be located within the Cox Communications franchise areas in the Santa Barbara South County region.

V. PUBLIC ACCESS CHANNELS OPEN TO THE PUBLIC

TV Santa Barbara agrees to keep the Public Access channel(s) open to all potential users subject to relevant local, state and federal laws as well as Federal Communication Commission ("FCC") regulations. TV Santa Barbara may develop and enforce policies and procedures designed to encourage local use of the PEG access channel(s) and make such local programming accessible to the viewing public. Neither the City nor TV Santa Barbara shall control the content of programming on the channels, so long as the programming is lawful.

VI. COPYRIGHT CLEARANCE

Before cablecasting any program material, TV Santa Barbara shall require all users to agree in writing that they shall make all appropriate arrangements to obtain all rights to all material cablecast and clearances from broadcast stations, networks, sponsors, music licensing organizations' representatives, and without limitation from the foregoing, any and all other persons as may be necessary to transmit their program material over the public and educational ("PE") access channels that are operated and managed by TV Santa Barbara.

VII. COPYRIGHT AND OWNERSHIP

TV Santa Barbara shall own the copyright of any programs which it may choose to produce. Copyright of programming produced by other parties shall be held by the persons who produced said programming.

VIII. DISTRIBUTION RIGHTS

A. TV Santa Barbara shall require that all programs produced with funds, equipment, facilities, or staff granted under this Agreement shall be distributed on the PEG access channels. This subparagraph shall not be interpreted to restrict other distribution (beyond distribution on channels authorized by this Agreement), so long as such other distribution is consistent with any pertinent guidelines established in the PEG access operating policies and procedures.

B. At the beginning and end of each day that programming is cablecast on the PEG access channels whose use is authorized by this Agreement, TV Santa Barbara shall display a credit stating: "Partial funding for the operation of this channel is provided by the City of Carpinteria." Such credit shall also state that opinions expressed in PEG access programs are

the sole responsibility of the program producers.

IX. NON-DISCRIMINATION IN EMPLOYMENT AND SERVICE

A. TV Santa Barbara shall not discriminate against any person, employee or applicant for employment or subcontractor on the basis of race, sex, color, age, religion, sexual orientation, actual or perceived gender identification, marital status, disability, ethnicity or national origin, or any other protected class under local, state or federal law.

B. TV Santa Barbara shall not discriminate in the delivery of services on the basis on race, sex, color, age, religion, sex, sexual orientation, actual or perceived gender identification, marital status, disability, ethnicity, or national origin, or any other protected class under local, state or federal law.

X. FUNDING AND OTHER RESOURCES

Pursuant to the Cox DIVCA franchise and Chapter 5.71 of the City Code, Cox must make certain funding, resources, and support available for PEG access purposes. The City agrees to make a portion of those funds, support, and resources available to TV Santa Barbara.

A. Resources.

1. The City agrees to permit TV Santa Barbara to manage and TV Santa Barbara agrees to manage the channel capacity designated for public, educational access, and government access programming that is and has in the past been available to the City in accordance with the Cox DIVCA franchise and Chapter 5.71 of the City Code.

2. The Cox DIVCA franchise and Section 5870 of DIVCA provides that Cox provide the necessary connectivity to transport/interconnect PEG programming from public, educational, and government primary program origination sites to Cox for transmission on PEG channels to Cox cable/video service subscribers. To the extent the City receives this benefit from Cox, City shall work with TV Santa Barbara to permit TV Santa Barbara to use those links for public, educational, and government access purposes during the term of this agreement.

B. Funding.

1. Upon approval of this Agreement by the City of Carpinteria City Council, the City shall pay TV Santa Barbara the following:

a. Upon execution of this agreement, the City shall pay TV Santa Barbara the one-time amount of \$2,500. TV Santa Barbara and the City agree to prorate the initial \$50,000 payment to cover April through December 2024 of the 2024 calendar year, or nine-twelfths (9/12) of \$50,000 which equals \$37,500. The City previously paid TV Santa Barbara \$35,000 in January 2024. The amount due to TV Santa Barbara in the first year of the agreement is the difference between \$37,500 and \$35,000, or \$2,500. Commencing on January 1, 2025 and annually thereafter on January 1, 2026, the City shall pay to TV Santa Barbara an amount not to exceed \$50,000 for the Services described in Section III. A – M of this Agreement .

b. Commencing on January 1, 2027 and annually thereafter on January 1, 2028 the City shall pay to TV Santa Barbara an amount not to exceed \$60,000 per year for the Services described in Section III. A - M for years 4-5 of this Agreement.

2. The City shall pay TV Santa Barbara for additional services as described in Section III.N. based upon the rate schedule describe therein.

3. Payments as described in Section B.1-2 above and payments for f additional government access media/video production services under Section III.N shall be made to TV Santa Barbara within thirty (30) days of the submittal of an invoice to the City by TV Santa Barbara. TV Santa Barbara shall bill the City on a monthly basis for services provided to include \$4,166.66 per month from January 1, 2025 – December 31, 2026; and \$5,000.00 per month from January 1, 2027 – December 31, 2028.

4. Should the PEG access obligations under the Cox DIVCA franchise or Chapter 5.71 of City Code be modified for any reason, TV Santa Barbara and the City will meet and confer within 60 days of a modification to determine if and how this Agreement will need to be amended to accommodate the changed PEG obligations. This clause is subject to the applicable amendment and termination terms contained in Sections XIII of this Agreement.

5. Nothing in this Agreement shall be deemed to prohibit the City from contracting with TV Santa Barbara for additional services.

XI. AUDIT OF TV SANTA BARBARA'S RECORDS

TV Santa Barbara shall, at all times during the term of this Agreement, keep and maintain full, complete, and appropriate books, records, and accounts relating to the funds provided by the City, including all such books, records and accounts necessary or prudent to evidence or substantiate in full detail the expenditure and use of funds provided by the City in accordance with this Agreement.

All books, records, and accounts relating, in the City's reasonable judgment, to TV Santa Barbara's compliance with the terms, provisions, covenants and conditions of this Agreement shall be kept and maintained in accordance with generally accepted accounting principles ("GAAP") consistently applied, and shall at all times during normal business hours be open to and available for inspection by the City, its auditors, and other authorized representatives. If at any time during the term hereof, said books, records, accounts or record-keeping procedures are deemed inadequate or incomplete in the reasonable judgment of the City, TV Santa Barbara shall, upon the request of the City, revise or adjust the procedures used to maintain such books, records and accounts so that thereafter they shall be of a character and form adequate for said purposes in the City's reasonable judgment. Copies of all tax reports and Internal Revenue tax reports or any other books, records and reports that TV Santa Barbara may be required to furnish any governmental agency shall at all reasonable times be open for inspection by the City at the place that the books, records and accounts of TV Santa Barbara are kept. The City shall have the right to audit and examine the books, records and accounts of TV Santa Barbara necessary for a proper determination of the use of PEG funds, and all such books and records shall be held available for such purpose.

XII. LICENSES AND PERMITS

TV Santa Barbara shall obtain and maintain, at its sole cost and expense, any and all licenses and permits necessary to perform under this Agreement and to maintain the facilities and render the services proposed to be maintained or rendered in connection with this Agreement.

XIII. TERMINATION OF AGREEMENT; TRANSFER OF ASSETS

A. The City shall have the right upon one hundred (120) days written notice to TV Santa Barbara to terminate this Agreement for:

1. Material breach of any provision of this Agreement by TV Santa Barbara; or
2. Malfeasance, misfeasance, misappropriation of funds; or
3. Loss of 501(c)(3) status by TV Santa Barbara or revocation or suspension of its Articles of Incorporation by the State of California; or
4. Failure of Cox to provide PEG access channels, fiber links, and/or adequate funds as determined by the City, resulting in the City's inability to provide funding to TV Santa

Barbara; or

5. A change in conditions that result in a significant decline in revenue and/or increase in expense associated with access to PEG channels and/or fiber links, or for the operations/support of PEG channels as determined by the City.

6. A change in conditions that result in the City experiencing a decline in the quality and/or quantity of the services that TV Santa Barbara provides to the City pursuant to this Agreement.

B. The written contract violations notice provided by the City shall cite the specific section of this Agreement which the City believes TV Santa Barbara to have breached and provide sufficient detail to permit TV Santa Barbara to clearly understand the nature of the violations and the cure requested by the City.

C. TV Santa Barbara may avoid termination by curing any breach associated with its performance of Section XIII.A. 1-3, and 6 within ninety (90) days of written notification from the City or such longer time as the City determines.

D. If the City provides notice to terminate this Agreement because of circumstances as described Section XIII.A. 4-5 above the City and TV Santa Barbara shall meet and confer to determine whether termination is necessary or if a change in the terms and conditions of this Agreement would permit the parties to have a continuing relationship regarding the PEG Services described in Section III of this Agreement.

C. Upon termination of this Agreement, TV Santa Barbara shall immediately transfer all equipment, real property, fixtures, contracts, leases, deposit accounts or other assets received by or purchased by TV Santa Barbara with funds received pursuant to this Agreement to such organization or organizations designated by the City to manage PEG access, which shall at the time qualify as a tax exempt organization(s) under Section 501(c)(3) of the Internal Revenue Code (or the corresponding provisions of any superseding law).

XIV. EXTENSION OF AGREEMENT

This Agreement may be extended, by mutual agreement of the City and TV Santa Barbara, in writing.

XV. INDEMNIFICATION / HOLD HARMLESS

TV Santa Barbara shall, to the fullest extent permitted by law, investigate, defend, indemnify and hold harmless the City, its officers, employees and agents from and against any and all loss, damage, liability, claims, demands, detriments, costs, charges and expenses (including attorneys' fees) and causes of action of any character that the City may incur, sustain, or be subjected to on account of loss or damage to property or loss of use thereof, or for bodily injury to or death of any persons (including but not limited to property, employees, subcontractors, agents and invitees of each party hereto) arising out of or in any way connected to the work to be performed under this Agreement.

XVI. INSURANCE

As part of the consideration for this Agreement, TV Santa Barbara agrees to purchase and maintain at its sole cost and expense during the life of this Agreement insurance coverage as specified below. All insurance coverage is to be placed with insurers that: (1) have a Best rating of no less than B+: XII; and (2) are insurance companies authorized to conduct business in the State of California. All other insurers require prior written approval of the City.

A. General liability insurance. Commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than One Million Dollars (\$1,000,000) per occurrence, Two Million Dollars (\$2,000,000) general aggregate, for bodily injury, personal injury, and property damage. The policy must include contractual liability that has not been amended. Any endorsement restricting standard ISO "insured contract" language will not be accepted.

B. Automobile liability insurance. Automobile insurance at least as broad as Insurance Services Office form CA 00 01 covering bodily injury and property damage for all activities of the TV Santa Barbara arising out of or in connection with work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles, in an amount not less than One Million Dollars (\$1,000,000) combined single limit for each accident.

C. Media and Broadcaster's Liability: Covering errors and omissions with minimum limits of One Million Dollars (\$1,000,000), covering content of productions that are cablecast on the access channel(s) or placed on the TV Santa Barbara's website(s) in, at minimum, the following areas: libel and slander, copyright or trademark infringement, plagiarism, intentional and negligent infliction of emotional distress, invasion of privacy, misuse of musical or literary materials. This policy shall not be required to cover individual access producers.

D. Directors & Officers Liability: Insurance covering against loss due to the conduct of TV Santa Barbara Board directors and officers with minimum limits of One Million Dollars (\$1,000,000). At minimum, such insurance shall be in payment of defense and indemnity costs incurred by the insureds, and personally by directors and officers, for claims brought by access users, creditors, employees, competitors and others that arise out of allegations of breach of duty, neglect, error, misstatement, violation of rights, and similar causes whether or not the allegations are groundless or false.

Such insurance in items A, B, C, and D above shall include, but not be limited to:

1. Extension of coverage to the City, its officers, employees and agents, as additional insureds, with respect to TV Santa Barbara's liabilities hereunder, but only with respect to the operations of the named insured.
2. A provision that coverage will not be cancelled or subject to reduction until at least thirty (30) days prior written notice has been given to the City Clerk, addressed to 5775 Carpinteria Avenue, Carpinteria, CA 93013.
3. A provision that TV Santa Barbara's insurance shall apply as primary, and not excess of, or contributing with the City.
4. Contractual liability coverage sufficiently broad so as to include the liability assumed by TV Santa Barbara in the indemnity or hold harmless provisions included in this Agreement.
5. A cross liability clause, or equivalent wording, stating that coverage will apply separately to each named or additional insured as if separate policies had been issued to each.
6. Policy shall apply on an "occurrence" basis.
7. All policies shall provide that the City shall be given thirty (30) days written notice prior to cancellation or expiration of the policy or reduction in coverage.

E. Workers' Compensation: In accordance with the provisions of the California Labor Code, TV Santa Barbara is required to be insured against liability for Workers' Compensation or to undertake self-insurance. Statutory Workers' Compensation and Employers' Liability of at least One Million Dollars (\$1,000,000) shall cover all TV Santa Barbara's staff while performing any work incidental to the performance of this Agreement. The policy shall provide that no

cancellation, major change in coverage or expiration shall be effective or occur until at least thirty (30) days after receipt of such written notice by the City.

F. Real & Personal Property Insurance: Insurance against loss, loss of use, or damage to real & personal property including, but not limited to, improvements, fixtures, broadcasting and video equipment with limits equivalent to the replacement cost.

G. Fidelity Bond: Bond coverage insuring against loss due to dishonest acts of TV Santa Barbara or its Board of Directors and Officers, with limits not less than Three Hundred Thousand Dollars (\$300,000).

Approval of the insurance by the City or acceptance of the Certificate of Insurance by the City shall not relieve or decrease the extent to which the TV Santa Barbara may be held responsible for payment of damages resulting from TV Santa Barbara services or operation pursuant to this Agreement, nor shall it be deemed a waiver of the City's rights to insurance coverage hereunder.

A Certificate of Insurance supplied by TV Santa Barbara evidencing the above shall be completed by TV Santa Barbara's insurer or its agent and submitted to the City prior to execution of this Agreement by the City. TV Santa Barbara shall require all subcontractors and all tiers of such subcontractors to provide insurance as set forth in A, B and C of this section.

If, for any reason, TV Santa Barbara fails to maintain insurance coverage, which is required pursuant to this Agreement, the same shall be deemed a material breach of contract and the City, at its sole option, may terminate this Agreement. Alternately, the City may purchase such required insurance coverage, and without further notice to TV Santa Barbara, the City may deduct from payments (either annual or quarterly) due to TV Santa Barbara any premium costs paid by the City for such insurance.

XVII. INDEPENDENT CONTRACTOR

It is understood and agreed by the parties hereto that TV Santa Barbara, while engaged in conducting the program and complying with any of the terms of this Agreement, is an independent contractor and is not an officer, agent or employee of the City; and officers, employees and agents of TV Santa Barbara are not entitled to any of the benefits of the City employees.

XVIII. ASSIGNMENT

TV Santa Barbara shall not assign this Agreement or any part thereof or any monies payable hereunder without the prior written consent of the City, which consent may be withheld in the sole and absolute discretion of the City.

XIX. ANNUAL REPORT AND FINANCIAL STATEMENT

Within 90 days of the end of each fiscal year, TV Santa Barbara agrees to submit to the City an annual report regarding its activities during the preceding fiscal year (July 1 – June 30). This report shall contain at a minimum, the following information:

1. Statistics on programming and services provided;
2. Current and complete listing of TV Santa Barbara 's Board of Directors;
3. Year-end financial statements reviewed by a certified public accountant; and
4. A current inventory of equipment used to provide public and educational programming.

XX. COMPLIANCE WITH LAWS AND REGULATIONS

TV Santa Barbara agrees that it shall comply with all applicable federal and state laws and regulations.

XXI. NOTICES

Notices shall be sent to TV Santa Barbara addressed as follows:

Executive Director
TV Santa Barbara
329 South Salinas Street
Santa Barbara, CA 93103

Notices shall be sent to the City addressed as follows:

City Manager
City of Carpinteria
5775 Carpinteria
Carpinteria, CA 93013

XXII. PARAGRAPH HEADINGS

The paragraph headings contained herein are for convenience and reference only and are not intended to define or limit the scope of this Agreement.

XXIII. DISPUTE RESOLUTION.

If any dispute, claim or disagreement shall arise relative to the interpretation or enforcement of this Agreement, the parties shall use commercially reasonable efforts to settle the dispute, claim or disagreement. To this end, they shall consult and negotiate with each other in good faith and, recognizing their mutual interests, attempt to reach a just and equitable solution satisfactory to both parties. If they do not reach such a solution within a period of thirty (30) days, then, upon notice by either party to the other, the dispute, claim or disagreement shall be submitted to final, binding arbitration administered by the American Arbitration Association in accordance with its Commercial Arbitration Rules. The arbitrator shall have the authority to assess arbitration costs and expenses against either or both parties. The decision in the arbitration shall be binding on all parties, and judgment on any arbitration award may be entered in any court of competent jurisdiction.

XXIV. ENTIRE AGREEMENT, AMENDMENTS, AND WAIVERS

This Agreement constitutes the entire agreement between City and TV Santa Barbara with respect to the subject matter hereof and supersedes all prior agreements and negotiations, oral and written. The City and TV Santa Barbara have entered into this Agreement voluntarily. This Agreement may not be modified or amended in any respect whatsoever except by an instrument in writing signed and authorized by the City of Carpinteria and TV Santa Barbara.

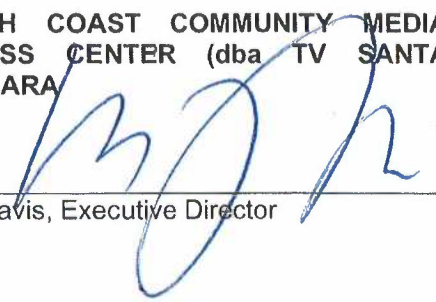
Parties agree that waiver of any breach or violation of any term of this Agreement shall not be deemed to be a waiver of any term or condition this Agreement.

IN WITNESS THEREOF, the parties hereto have caused this Agreement to be executed on the day and year first above written.

CITY OF CARPINTERIA
A municipal corporation

Al Clark, Mayor

**SOUTH COAST COMMUNITY MEDIA
ACCESS CENTER (dba TV SANTA
BARBARA)**



Erik Davis, Executive Director

ATTEST:

Brian C. Barrett, CMC, CPMC
City Clerk

APPROVED AS TO FORM:

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



City of Carpinteria

COUNCIL AGENDA STAFF REPORT March 25, 2024

ITEM FOR COUNCIL CONSIDERATION

Amendment to the City's CalPERS Contract.

STAFF RECOMMENDATION

1. Adopt Resolution No. 6301, Resolution of Intention
2. Approve Ordinance No. 779, as read by title only (*first reading*).

Sample Motion: I move to adopt Resolution No. 6301 and approve Ordinance No. 779, on the first reading, as read by title only, and continue the second reading for adoption to the April 22, 2024 Council meeting. (*Requires reading of ordinance title and a roll call vote.*)

BACKGROUND

The California Public Employee Retirement System (CalPERS) is the agency that manages a defined benefit pension retirement plan for public employees. CalPERS pensions are funded by contributions from employees and employers and investment returns. Employee and employer contribution terms for the City of Carpinteria are defined in a contract between the Board of Administration CalPERS and the City of Carpinteria (Contract).

At its regular meeting on October 22, 2012, the City Council (CC) adopted Resolution No. 5414, a Resolution of Intention. The City Council also approved the first reading of Ordinance No. 659 with a second reading approved on November 13, 2012, authorizing an amendment to the Contract, implementing the cost-sharing agreement between the City and its employees as follows:

The employee cost-sharing contributions are not to exceed 4.600%. The maximum employee cost-sharing contribution is the normal cost plus the increase in the accrued liability due to the benefit improvement amortized over 20 years. In no event shall the employee cost-sharing contribution attributable to the

unfunded liability remain in effect beyond September 16, 2020. Therefore, between March 16, 2020 and September 16, 2020, the maximum employee cost-sharing contribution cannot exceed 4.509%; and after September 16, 2020, in any given contribution year, the maximum employee cost-sharing contribution cannot exceed 1.867% of payroll.

As specified in Ordinance 659, the employee cost-sharing terms expired on September 16, 2020, and resulted in a reduction of the employee cost-share from 4.509% to 1.867%.

The purpose of this agenda matter is to reinstate the cost-sharing agreement with the City and its employees to 4.509%. The cost-sharing terms are also specified in the current Conditions of Employment (COE) for Miscellaneous and Management personnel, respectively, and the Memorandum of Understanding (MOU) for Service Employees International Union (SEIU) Local 620.

DISCUSSION

CalPERS members are defined as having either Classic or Public Employee Pension Reform Act (PEPRA) membership. In general, employees hired and enrolled in CalPERS prior to January 1, 2013, are considered "Classic" members. Whereas, employees entered into CalPERS for the first time on or after January 1, 2013, are considered PEPRA members. The reinstatement of the employee cost share to 4.509% pertains only to Classic members. All "Classic" employees have been notified of this matter and will have the opportunity to participate in the election on the proposed cost-share terms.

To effectuate changes to the cost-sharing agreement between the City and its Classic members, the Contract amendment process must include the following steps:

- The City shall adopt a Resolution of Intention – CC on March 25, 2024.
- The City shall approve the final reading of an ordinance – CC on April 22, 2024.
- Within 20 days of the adoption of the Resolution of Intention, the City shall conduct an employee election whereby a simple majority of the affected Classic members shall vote on the proposed cost-share terms - By April 17, 2024.
- CalPERS will update the contract amendment and send a fully executed contract to the City for reinstating the employee cost share to 4.509% - By May 24, 2024.

Under the provisions of Government Code Section 20471, a minimum 20-day waiting period between the Resolution of Intention and introduction of Ordinance No. 779 and the adoption of Ordinance No. 779 is required. Furthermore, Ordinance No. 779 would be effective 30 days after final adoption per City requirements. Upon the fulfillment of these requirements, the Contract amendment with CalPERS should be effective with the May 25, 2024, pay period.

POLICY CONSISTENCY

The recommendation is consistent with Government Code Section 20516, which allows an agency and its employees to agree to share the costs of the employer contribution.

FINANCIAL CONSIDERATIONS

No financial consideration is needed.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

None.

OPTIONS

1. Adopt Resolution No. 6301, Resolution of Intention and Approve Ordinance No. 779, as read by title only (*first reading*). (*Staff recommendation*)
2. The City Council could choose not to adopt Resolution No. 6301, Resolution of Intention and approve Ordinance No. 779. However, this would result in the City being out of compliance with the agreed upon terms of the adopted COE for miscellaneous and management personnel and MOU for SEIU represented employees.

PRINCIPAL PARTIES EXPECTED AT MEETING

None

ATTACHMENTS

- A. Resolution No. 6301, Resolution of Intention
- B. Ordinance No. 779
Exhibit 1 – Amendment to Contract

Staff contact:

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

Reviewed by:

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

Reviewed by:

Michael Ramirez, City Manager
(805) 755-4450; michaelsr@carpinteriaca.gov


Signature


Signature


Signature

ATTACHMENT A

RESOLUTION NO. 6301
RESOLUTION OF INTENTION
TO APPROVE AN AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
CITY OF CARPINTERIA

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

To end Section 20516 (Employees Sharing Cost of Additional Benefits) of 1.867% for local miscellaneous members; and

To provide Section 20516 (Employees Sharing Additional Cost) of 4.5% for classic local miscellaneous members.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

By: _____
Presiding Officer

Al Clark, Mayor

Title

March 25, 2024

Date adopted and approved
(Amendment)
CON-302

PASSED, APPROVED AND ADOPTED on this 25th day of March, 2024, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

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 March 25, 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

ORDINANCE NO. 779

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF CARPINTERIA AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

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

SECTION 1.

That an amendment to the contract between the City Council of the City of Carpinteria and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit, and by such reference made a part hereof as though herein set out in full.

SECTION 2.

The Mayor of the City Council is hereby authorized, empowered, and directed to execute said amendment for an on behalf of said Agency.

SECTION 3. EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days after the date of its adoption, and prior to the expiration of fifteen (15) days from the passage thereof shall be published at least 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 and circulated in the City of Carpinteria and thenceforth and thereafter the same shall be in full force and effect.

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 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 5. 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).

PASSED, APPROVED AND ADOPTED on this 25th day of March, 2024, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

ATTEST:

Mayor, City of Carpinteria

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

I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held on March 25, 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

EXHIBIT TO RESOLUTION NO. 6301



EXHIBIT

California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of Carpinteria

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective October 29, 1966, and witnessed September 26, 1966, and as amended effective March 27, 1982, December 26, 1987, March 16, 2000, September 16, 2000, July 25, 2002, March 8, 2012, and December 22, 2012, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 13 are hereby stricken from said contract as executed effective December 22, 2012, and hereby replaced by the following paragraphs numbered 1 through 15 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for classic local miscellaneous members, age 62 for new local miscellaneous members, age 50 for classic local safety members, and age 57 for new local safety members.
 2. Public Agency shall participate in the Public Employees' Retirement System from and after October 29, 1966, making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.

3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorney fees that may arise as a result of any of the following:
 - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
 - (b) Any dispute, disagreement, claim, or proceeding (including without limitation arbitration, administrative hearing, or litigation) between Public Agency and its employees (or their representatives) which relates to Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than such employees' existing retirement benefits, provisions or formulas.
 - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Police Officers (herein referred to as local safety members);
 - b. Employees other than local safety members (herein referred to as local miscellaneous members).
5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
 - a. **PERSONS COMPENSATED ON AN HOURLY BASIS;**
 - b. **ELECTED OFFICIALS; AND**
 - c. **FIREFIGHTERS.**

6. The percentage of final compensation to be provided for each year of credited prior and current service as a classic local miscellaneous member shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).
7. The percentage of final compensation to be provided for each year of credited prior and current service as a new local miscellaneous member shall be determined in accordance with Section 7522.20 of said Retirement Law (2% at age 62 Full).
8. The percentage of final compensation to be provided for each year of credited prior and current service as a classic local safety member shall be determined in accordance with Section 21362 of said Retirement Law (2% at age 50 Full).
9. The percentage of final compensation to be provided for each year of credited prior and current service as a new local safety member shall be determined in accordance with Section 7522.25(d) of said Retirement Law (2.7% at age 57 Full).
10. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Section 20042 (One-Year Final Compensation) for classic members only.
 - b. Section 20903 (Two Years Additional Service Credit) for local miscellaneous members only.
 - c. Section 20965 (Credit for Unused Sick Leave).
 - d. Section 21623.5 (\$2,000 Retired Death Benefit).
 - e. Section 21335 (3% Cost-of-Living Allowance, base year 2000) for local miscellaneous members only.
 - f. Section 20516 (Employees Sharing Cost of Additional Benefits):

Section 21354 (2% @ 55 Full formula) effective September 16, 2000, and Section 21623.5 (\$2,000 Retired Death Benefit) effective March 16, 2000, for local miscellaneous members. From and after March 8, 2012, and until December 22, 2012, the miscellaneous employees of Public Agency shall be assessed an additional 3% of their compensation for a total contribution rate of 10% pursuant to Government Code Section 20516.

Section 21354 (2% @ 55 Full formula) effective September 16, 2000, and Section 21623.5 (\$2,000 Retired Death Benefit) effective March 16, 2000, for local miscellaneous members from and after December 22, 2012, and until the effective date of this amendment to contract.

The employee cost sharing contributions are not to exceed 4.600%. The maximum employee cost sharing contribution is the normal cost plus the increase in the accrued liability due to the benefit improvement amortized over 20 years. In no event shall the employee cost sharing contribution attributable to the unfunded liability remain in effect beyond September 16, 2020. Therefore, between March 16, 2020, and September 16, 2020, the maximum employee cost sharing contribution cannot exceed 4.509%; and after September 16, 2020, in any given contribution year, the maximum employee cost sharing contribution cannot exceed 1.867% of payroll.

g. Section 20516 (Employees Sharing Additional Cost):

From and after the effective date of this amendment to contract, 4.5% for classic local miscellaneous members.

The portion of the employer's contribution that the member agrees to contribute from his or her compensation, over and above the member's normal contribution ("Cost Sharing Percentage"), shall not exceed the Employer Normal Cost Rate, as that rate is defined in the CalPERS Actuarial Valuation for the relevant fiscal year. If the Cost Sharing Percentage will exceed the relevant Employer Normal Cost Rate, the Cost Sharing Percentage shall automatically be reduced to an amount equal to, and not to exceed, the Employer Normal Cost Rate for the relevant fiscal year.

11. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on March 27, 1982. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
12. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.

13. Public Agency shall also contribute to said Retirement System as follows:

- a. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
- b. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

14. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

15. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the _____ day of _____, _____.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
CITY OF CARPINTERIA

BY _____
MELODY BENAVIDES, CHIEF
PENSION CONTRACTS AND PREFUNDING
PROGRAMS DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY _____
PRESIDING OFFICER

Witness Date

Attest:

Clerk



City of Carpinteria

COUNCIL AGENDA STAFF REPORT March 25, 2024

ITEM FOR COUNCIL CONSIDERATION

Receive an update on the City's Live Entertainment Licensing program and provide direction to staff on revisions to the Live Entertainment Licensing program.

STAFF RECOMMENDATION

Receive an update on the status of the City's Live Entertainment Licensing program, receive public comment, and provide direction to staff on revisions to the Live Entertainment Licensing program.

Sample Motion: I move to receive and file an update on the status of the City's Live Entertainment Licensing program.

BACKGROUND

Live Entertainment in Carpinteria

Pursuant to Carpinteria Municipal Code ("CMC") Chapter 5.40, Live Entertainment, the City has the authority to regulate live entertainment, including but not limited to live music, conducted at businesses throughout the City. The purpose for the regulation and licensing of live entertainment is to ensure businesses hosting live entertainment are operated in a safe and orderly manner, and do not pose undue public nuisance impacts to surrounding land uses or unreasonably interfere with the reasonable enjoyment of life or property of others. The City has required businesses hosting live entertainment to acquire and maintain a valid Live Entertainment License ("License") since at least 2002.

Businesses in Carpinteria that host live entertainment generally attempt to operate in a manner that is conscientious of surrounding neighbors, taking efforts to control volume and hours in a reasonable manner. While it is not unusual to be able to hear live music to some degree in certain parts of the City on a regular basis, such live entertainment has not typically generated strong concerns from neighbors or surrounding uses. In fact, Citywide, noise complaints have traditionally been infrequent, with City staff locating only a handful of complaints filed over the past five years. In the rare instances that the City has received a nuisance noise complaint related to a business conducting or

hosting live entertainment, the complaints have typically been resolved through routine code compliance or law enforcement practices such as contacting business owners to seek voluntary compliance (e.g., asking the volume to be reduced, doors to be kept closed, etc.), or through issuance of a verbal or written warning. Only in the very rarest of circumstances have compliance efforts had to escalate to the issuance of an administrative citation or other types of elevated compliance responses.

Recent Issues Related to Live Entertainment

Live entertainment has traditionally only been permitted to be held indoors (aside from discrete special events). However, in response to the COVID-19 pandemic in mid-2020, the City Council granted temporary permission for many business activities, including licensed live entertainment, to be relocated outdoors. These temporary allowances have been successively extended and currently remain in effect until June 30, 2024. Many of the businesses hosting live entertainment exercised this option to relocate live music outside.

Initially, the move to (temporarily) allow outdoor live entertainment did not generate increased calls for service or nuisance noise complaints. In fact, from 2019 up through 2022, calls for service related to loud music complaints remained very low, averaging less than five calls per year citywide. Beginning in July 2023, however, and carrying into January 2024, City staff and law enforcement began receiving repeated nuisance noise complaints resulting from live music entertainment hosted on weekend evenings at Island Brewing Company. While several complaints came from one household, records from the Sheriff's Department indicate calls for service were received from multiple sources.

Efforts by City staff and law enforcement to respond to, and resolve, the complaints were initially hampered by uncertainty over whether Island Brewing Company held a valid License to host live entertainment, and whether sheriff's deputies had authority to enforce City nuisance noise standards on what were assumed to be licensed live entertainment businesses. Efforts to resolve noise complaints were also made challenging by the ambiguous regulatory language in the City's Municipal Code in terms of defining what constitutes an offensive or disturbing noise level for neighbors (CMC § 5.40.080.E).

Following these initial complaints, further investigation by City staff revealed that none of the businesses hosting live entertainment at that time, including, but not limited to, Island Brewing Company, held the required License from the City to host live music. In response, City staff conducted outreach during the fall and winter of 2023 to all Carpinteria businesses that either were hosting or had hosted live music entertainment in the past to alert them of the need to apply for and obtain a valid License if they wished to continue hosting live music entertainment going forward.

City Staff Response to Recent Nuisance Complaints

City staff recognized that bringing businesses into compliance with License requirements was an important first step, but did not by itself resolve the challenges encountered in attempting to enforce vaguely-worded conditions. City staff took additional efforts to clarify enforcement authority with law enforcement and to develop more readily enforceable operating standards. City staff met with law enforcement personnel to share licensing information, review the required operating standards, and to confirm law enforcement's authority to enforce City regulations, particularly during after-hours when City Code Compliance staff is not on duty. City staff also worked with the (at the time) Assistant City Manager, law enforcement staff, and the City Attorney's office to develop additional "administrative" License conditions, which the Community Development Director is authorized to place on Licenses. The intent of these administrative conditions was to continue to accommodate live music entertainment while also establishing clearer, more objective operating standards to use in evaluating and resolving nuisance noise complaints.

Since December 2023, four Carpinteria businesses (i.e., Island Brewing Company; Corktree Cellars; the BrewLAB; and the Apiary) have successfully applied for and obtained a valid License, subject to both the standard Live Entertainment License conditions imposed by the CMC and the additional administrative conditions imposed on their respective Licenses by the Community Development Director. One additional business, Rincon Brewery, is currently in the application phase and will be issued its License once all necessary inspections and background checks have been completed.

In the time since the current Licenses were issued, staff has received no nuisance complaints related to live music hosted at Corktree Cellars, the BrewLAB, or the Apiary. Island Brewing Company initially continued to receive complaints, with a first written warning issued by City staff in December 2023 following a documented violation of the License conditions, and a second warning (and \$100 administrative citation) issued in January 2024 following a documented police report of a violation of License conditions. Since at least December, however, Island Brewing Company has taken increased efforts to better control live music volumes, including but not limited to, more selective screening of booked musical acts, relocating live music indoors and directed away from building entrances, monitoring sound levels to stay below certain volume levels, taking neighborhood noise measurement readings, and wrapping up live music performances earlier in the evening.

Seeing as no further noise complaints have been filed since January despite Island Brewing Company continuing to host regular live music events, it appears these recent efforts on behalf of Island Brewing Company have been successful at reducing noise levels to no longer be offensive to the primary complainants. Affected businesses and patrons, however, have alleged they are now being negatively affected by the more restrictive operating standards and feel these Licensed venues are being unduly burdened and their livelihoods threatened in the interest of appeasing a small but vocal minority. Over the past months, several public commenters have requested the Council

intervene to help resolve the matter. Community interest has continued to spread as some of the affected businesses have begun circulating a petition throughout the community to urge the Council to “protect” allowances for live music in Carpinteria.

Purpose of Agenda Item

The purpose of this item is to provide the Council and public with a clear understanding of how live music entertainment is currently regulated in the City, and to report on the current status of licensed live entertainment venues as it relates to compliance and enforcement activities. This discussion item also provides the Council and Staff with an opportunity to hear from members of the public with respect to how live music entertainment is, or should be, regulated. Staff welcomes constructive and specific feedback from the public on changes they would like to see in how live entertainment is regulated. Staff also seeks direction from the Council on the appropriate level of regulation and conditioning of Live Entertainment Licenses, both currently and in the future. Desired feedback could include input on where to strike the appropriate balance between permissive and restrictive administrative License conditions. The Council may also consider whether to direct staff to initiate changes to the permanent Entertainment License standards, such as creating allowances for outdoor music following the expiration of the temporary COVID-19 Outdoor Business Permit Program.

DISCUSSION

The following discussion sections provide an overview of the current regulatory landscape for live entertainment in the City, and a discussion of various options available to the Council for how to regulate live entertainment going forward.

Carpinteria Municipal Code Chapter 5.40 - Live Entertainment

The hosting of live entertainment within the City of Carpinteria is regulated by CMC Chapter 5.40, Live Entertainment (see Attachment A for an excerpted copy CMC Chapter 5.40).

For the purposes of this chapter, the following terms are defined:

- “Live entertainment” is defined as *“any live performance including but not limited to any act, play, review, pantomime, scene, dance act, song and dance act, or instrumental or other musical performance.”*
- A “place of entertainment” is defined as *“a building, room or hall open to the public, with or without charge, which building, room or hall does not have permanently fixed seats so arranged that a body of spectators can have an unobstructed view of the stage or area where the entertainment is performed, and in which the entertainment is ancillary to the serving of food and/or other refreshment and/or merchandise.”*

In recent years, live entertainment has most often referred to live music performances hosted at various local businesses, including but not limited to several local breweries and restaurants, which meet the definition of a place of entertainment. Consistent with this definition, the live entertainment is provided as an accessory or ancillary use to the primary permitted use of the business (e.g., restaurant, brewery, etc.).

The Live Entertainment Ordinance (i.e., CMC Chapter 5.40) stipulates that an annual valid License is required to allow live entertainment on the premises of a place of entertainment, and that certain requirements and operating standards must be complied with to obtain and host live entertainment under such a License. Requirements for issuance of a License include submittal of a complete Entertainment License application ([Attachment B](#)) and fee (currently \$620 for the initial application and \$225 for the annual renewal), satisfactory completion of a “live scan” criminal background check, and approval from the sheriff’s department and Carpinteria-Summerland Fire Protection District following a site visit and safety inspection.

Standard CMC License conditions that apply to the operation of all places of live entertainment include safety measures, such as minimum indoor lighting requirements, provision of a telephone for use by patrons, well-lit entrance and exit signage, consent to safety inspections by law enforcement or fire safety personnel during hours of operation, and provision of an onsite manager at all times when entertainment is conducted. Standard license conditions also include minimum measures to limit potential nuisance impacts to surrounding land uses, including limitations on the hours of live entertainment (e.g., no live entertainment between the hours of 1:00 a.m. and 9:00 a.m.), and a requirement that the Licensee, “*not permit the noise level of attendees or entertainment to reach a level that is offensive or disturbing to the surrounding neighborhood, residences, motels, hotels or other uses that may be in the area.*” Finally, the standard conditions include a provision stating that the Licensee shall comply with such other conditions, rules and regulations as the city or community development director may establish.

Carpinteria Municipal Code Chapter 9.70 - Public Nuisances

In addition to the City’s Entertainment License requirements and operating standards described above, the City and law enforcement may also regulate nuisance noise complaints under the provisions of CMC Chapter 9.70, Public Nuisances ([Attachment C](#)). The definition of a “public nuisance” is defined as including, but not limited to:

1. *Anything which is injurious to health, including, but not limited to, the illegal sale of controlled substances, or an unlawful act which is indecent or offensive to the senses, or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property of others, or the unlawful obstruction of the free passage or use, in the customary manner, of any creek, river, bay, stream, canal, or basin, or any public park, square, street, or highway and affects an entire community or neighborhood, or any considerable number of persons,*

- although the extent of the annoyance or damage inflicted upon individuals may be unequal; or*
2. *Real property that repeatedly has been the situs of nuisance activity, including but not limited to: disturbing the peace; ... or unreasonably loud noise.*

Chapter 9.70 authorizes the City to abate all public nuisances in any manner that is provided for in the Municipal Code, or state or federal law, either in law or equity. Abatement of public nuisances are subject to the administrative remedies and penalties provided for in the Municipal Code.

Temporary COVID-19 Outdoor Business Permit Program

Pursuant to the definition of “place of entertainment” under CMC Chapter 5.40.010(B), licensed live entertainment has historically only been allowed to be conducted within a building. Periodic special events, such as those approved through a Temporary Use Permit (for events occurring on private property), a Special Event Permit (for events occurring within the public right-of-way, such as the annual Avocado Festival), or via one of six annual “promotional” events which a licensed Carpinteria business can hold in a given year, subject to City and public safety consent, have been allowed to include periodic outdoor live entertainment.

However, in response to the COVID-19 pandemic and in an effort to support the economic vitality of local businesses during the pandemic while also complying with public health directives to promote social distancing, the City Council passed Urgency Ordinance No. 744 in May 2020 to allow many business activities to be temporarily relocated outdoors, including “live music and amplified sound permitted through an Entertainment License as described in CMC Chapter 5.40.”¹ The temporary outdoor business program, including the allowances for outdoor live music subject to Entertainment Licensing requirements and conditions, has been granted several extensions by the City Council, most recently via Ordinance No. 775 in December 2023, which have extended these temporary allowances through June 30, 2024.

Unless further extended by the Council, or other actions are taken to create an ongoing allowance for outdoor live entertainment, all licensed live entertainment (excepting the types of periodic special events described previously) must be relocated indoors starting on July 1, 2024. Hosting of outdoor live entertainment after this date would constitute a violation of CMC Chapter 5.40, Entertainment License.

Director-Imposed Administrative Entertainment License Conditions

Following the most serious stages of the COVID-19 pandemic, and as communities and the public began to transition into the latter “recovery” stages of the pandemic, several Carpinteria businesses began increasingly hosting live music entertainment, most of

¹ Adopted Ordinance No. 744 is available in its entirety here:

https://library.municode.com/ca/carpinteria/ordinances/code_of_ordinances?nodeId=1023151.

which was being held outdoors under the assumed provisions of the City's temporary outdoor business permit program.² During this time, it became commonplace for businesses including, but not limited to, Island Brewing Company, Sunburst, the Apiary and/or BrewLAB to host outdoor live music on a weekly or, in some cases, multiple times per week basis. Live music performances were most commonly held on weekends, particularly in the afternoon or evening hours, with most events ending by 9:00 p.m. or sooner. As the frequency of outdoor live music events increased over the past several years, anecdotal observations by City staff suggest that the intensity of the musical acts also incrementally increased, as larger and in some cases, louder, musical acts were hosted.

The intensification of live outdoor entertainment appears to have reached its peak during this past summer (2023) when City staff, law enforcement, and the City Council began receiving complaints with increased frequency concerning alleged nuisance noise impacts from outdoor live entertainment, in particular concerning live music hosted at Island Brewing Company. While many of the formally lodged complaints originated from a single reporting party, City staff and law enforcement were occasionally contacted by other parties who shared similar concerns over the frequency and/or intensity of amplified live music. For reference purposes, Sheriff's Department call logs indicate they would annually receive between one (1) and three (3) calls for service related to loud music complaints for Island Brewing between 2019 and 2022, but in 2023, the number of calls for service jumped to twenty (20) recorded instances.

Following an initial attempt to seek voluntary mitigation of noise impacts by meeting and discussing the received complaints with the owner of Island Brewing Company, City staff began an effort to contact all places of live entertainment to bring them back into compliance with the City's required Entertainment Licensing program. Around this same time, staff also began to research and develop additional "administrative" Entertainment License conditions in coordination with Code Compliance staff, law enforcement, the City Manager's office and the City Attorney's office, in particular to address the acute impacts stemming from outdoor entertainment under the temporary outdoor business program and to improve the enforceability of License conditions. The Community Development Director is authorized to establish and place additional conditions or regulations on Entertainment Licenses pursuant to CMC § 5.40.080(I).

In setting out to craft these additional "administrative" conditions, staff sought to balance two primary goals: 1.) Continue to allow for licensed businesses to host live entertainment at a reasonable level in terms of frequency or hours per week, and with respect to intensity (or volume) to serve their respective needs; while 2.) Providing Code Compliance staff and law enforcement with a more objective set of standards to be able to evaluate nuisance complaints and to seek resolution in the event of documented and verified offenses.

² As disclosed in the "Background" discussion of this report, none of the businesses hosting outdoor live entertainment at that time held a valid annual Entertainment License, despite the requirements of the City's temporary outdoor business permit program.

Several practical matters also influenced how the administrative conditions were crafted. For example, most noise complaints occur after hours when Code Compliance staff is not on duty. Therefore, most responses to complaints are fielded by law enforcement who are not trained for, or equipped with, sound measurement devices. Accordingly, staff instead focused on distance-based standards that could be more readily measured and enforced in the field. Likewise, staff attempted to craft a single set of conditions that could apply equally to all live entertainment licensees, rather than trying to craft specific conditions for each individual circumstance or venue. As most of the licensed businesses are comparably-located to the nearest residences (300-400 feet), this approach seemed most equitable and again allows for consistent enforcement.

Some of the key administrative conditions include:

- Acknowledging that allowances for outdoor live entertainment will terminate upon expiration of the City's COVID-19 outdoor business permit program;
- Limits on the cumulative hours of live entertainment per week as follows: a cumulative maximum of two hours on weekdays (Monday-Thursday), and a cumulative maximum of six hours on weekends (Friday-Sunday);
- Amplified live music shall end by 9:00 p.m. Monday through Thursday and Sunday, and by 10:00 p.m. on Friday and Saturday;
- Live entertainment conducted indoors shall not be audible farther than 300 feet from the property line;
- Live entertainment conducted outdoors shall: 1.) not cause a disturbance 500 feet from the property line to persons of normal sensitivity; and 2.) shall not be audible farther than 750 feet from the property line;
- Live entertainment should face away from the nearest residential location(s) and avoid unreasonable noise impacts to residential locations;
- Sound levels shall be reduced or eliminated upon request by law enforcement or Code Compliance staff, whose instructions shall supersede the CMC and any provision of the Entertainment License;
- Within any license year, more than three (3) warnings and citations, in combination, issued by law enforcement or code compliance staff for disorderly conduct, unreasonable noise, a violation of the CMC or permit conditions, or other acts that interfere with public health, welfare and safety, may warrant suspension or revocation of this Entertainment License. Regardless of the above, any one violation (e.g., blatant disregard to law enforcement or code compliance staff instructions or other egregious conduct) may also warrant suspension or revocation of this Entertainment License.

The entire set of administrative conditions, as currently drafted and applied to the four licensed Live Entertainment venues, are included with this report as Attachment D.

As previously noted in the Background discussion, complaints related to loud music from Island Brewing Company have tapered off since Entertainment Licenses were

issued with the additional “administrative” conditions imposed. The other currently licensed businesses (Apiary, BrewLAB, and Corktree Cellars) have continued to operate without any reported complaints or documented violations.

Options for the Regulation of Live Entertainment

In considering how to regulate Live Entertainment going forward into the future, the City has several options available.

In the immediate term, the City should continue to regulate Live Entertainment pursuant to the provisions of CMC Chapter 5.40, Live Entertainment. The Council may wish, however, to provide direction to staff on revisions or amendments to the additional “administrative” conditions placed on Entertainment Licenses by the Community Development Director. For example, the Council could direct staff to allow for a greater number of hours of live entertainment per week, or even recommend that a weekly maximum cap on the number of hours of live music be eliminated entirely; or the Council could recommend that there be a distinction between indoor and outdoor live entertainment with respect to allowed weekly hours. Likewise, the Council could provide input on alternate methods to objectively measure and enforce live entertainment volume levels used to define when a nuisance impact has occurred.

Looking farther ahead, the Council may wish to consider directing staff to initiate amendments to the City's permanent Live Entertainment regulations. For example, given the popularity of outdoor live music during the COVID-19 pandemic, the Council could direct staff to return to a future meeting date with options for creating an ongoing allowance for (limited) outdoor live entertainment, subject to specific operating standards (e.g., noise curfews, noise limits, etc.). Similarly, the Council could direct staff to develop objective standards for the measurement and enforcement of noise standards or volume levels.

In either of the above-cases, the Council has relatively broad discretion in its authority to establish live entertainment regulations that, in the opinion of the Council, find the appropriate balance in preserving reasonable allowances for live entertainment as a valuable and popular ancillary use for Licensed businesses, while minimizing surrounding sensitive receptors to unreasonable nuisance noise impacts.

POLICY CONSISTENCY

The following General Plan/Coastal Land Use Plan objectives and policies are relevant to the discussion at hand:

Policy LU-3d: *Establish a commercial sector that balances the retail and service needs of citizens and visitors.*

Policy LU-3g: *Provide for a range of business activities that bring vitality, revenue, and employment to Carpinteria and are compatible with its small town character.*

Objective CDS2-3: *Preserve and enhance the downtown's historic status as the center of commercial activity by encouraging a range of uses that serve both residents and visitors.*

Policy CDS2-a: *Ensure that new intensified land uses within the Downtown remain consistent with the City's "small beach town" image.*

Policy CDS2A-b: *Ensure that intensified land uses within the subarea support a lively place to visit, live, work, and shop, and that the scale and character of the District remain consistent with the City's "small beach town" image.*

The Land Use and Community Design Elements of the City's General Plan/Coastal Land Use Plan contains several objectives and policies that generally encourage and promote efforts to establish a diverse and vibrant commercial core that can meet the needs of both citizens and visitors alike. Providing opportunities for local businesses to host live entertainment helps to not only support the economic success of those businesses, but helps contribute to a livelier and engaging commercial core that draws citizens and visitors to the City's downtown areas. Nevertheless, placing appropriate limitations and conditions on ancillary activities like live entertainment are important to ensure that potential nuisance impacts do not get out of hand and begin to negatively affect surrounding land uses.

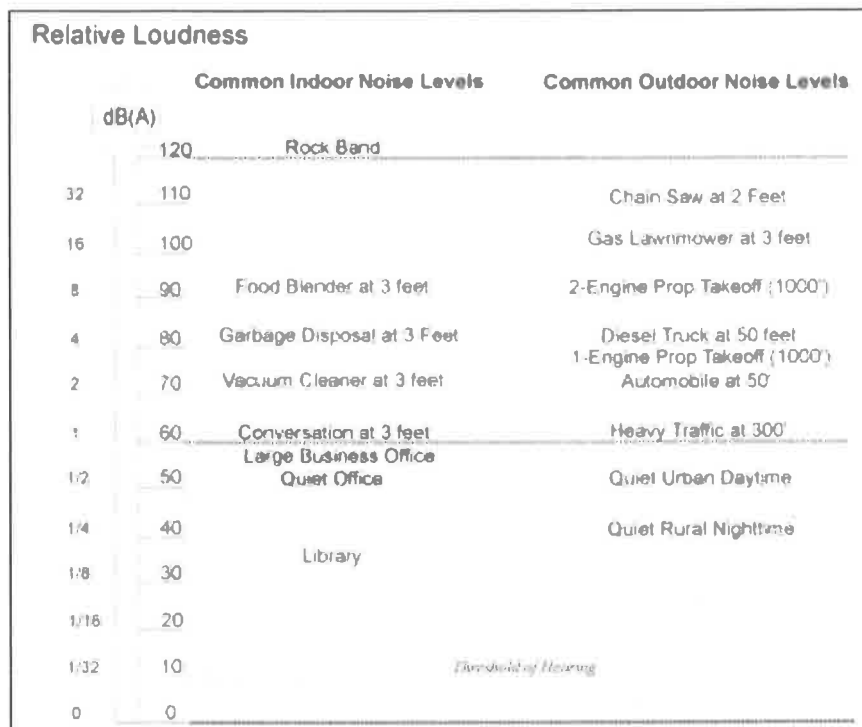
Objective N-5: *The City will minimize the effects of nuisance noise effects on sensitive land uses.*

Policy N-5a: *The City will address nuisance noise on a case-by-case basis and develop appropriate mitigation measures such as scheduling of events or activities during hours when effects would be minimal.*

The Noise Element of the City's General Plan/Coastal Land Use Plan ("GP/CLUP") contains one objective and several policies that address nuisance noise impacts. While the most common source of nuisance noise impact anticipated by the GP/CLUP relates to construction activities, other types of nuisance noise impacts also occur throughout the City and remain subject to regulation.

The Noise Element includes the following two graphics that are instructive in understanding the relative loudness of different activities (Figure 1) and the appropriateness of noise levels for different types of land uses (Figure 2).

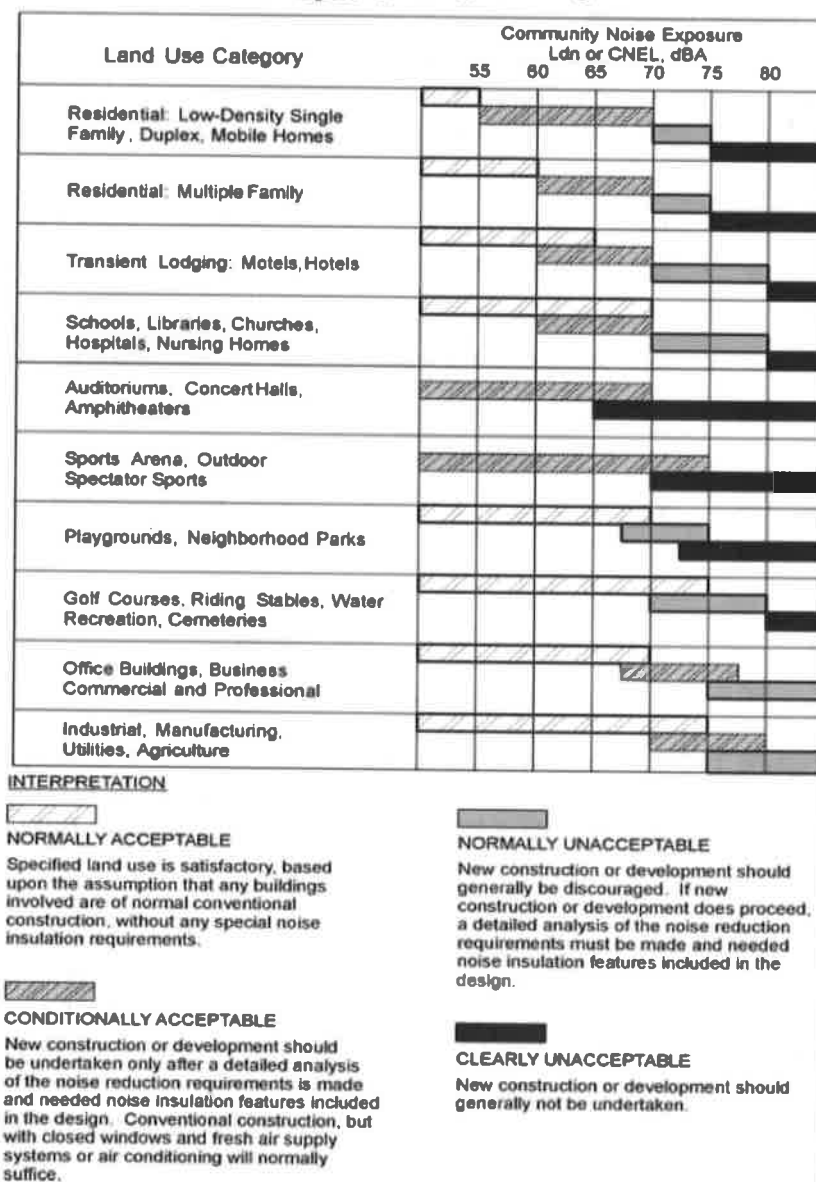
Figure 1.



According to Figure 1, a performance by a rock band indoors is amongst the loudest common types of noise a person might encounter, measuring at 120 decibels dB(A). By contrast, the interior noise levels of a typical library, may measure between 30 and 40 dB(A).

Figure 2, below, referred to as a land use compatibility matrix, shows which noise levels are typically "acceptable," "conditionally acceptable," "normally unacceptable," and "clearly unacceptable" for a variety of common types of land uses. For example, in residential neighborhoods, noise levels below 55-60 dBA are considered acceptable and noise levels up 70 dBA are considered conditionally acceptable. Sustained noise levels above 70 dBA are generally considered unacceptable for residential uses. Commercial area, meanwhile typically have a higher tolerance for noise levels where noise levels in the 70-75 dBA range are generally deemed acceptable and noise levels approaching 80 dBA are found to be conditionally acceptable.

Figure 2.
Acceptable Noise Levels



These relative noise levels can be used to help inform when noise impacts from particular land uses, such as live entertainment associated with a licensed business, reach a level of being unacceptable (i.e., a nuisance) for surrounding uses and sensitive receptors.

Consistent with the above Objective and Policy, the City can enforce nuisance noise impacts, including, but not limited to, those generated by live music entertainment, through appropriate regulation and mitigation to minimize impacts to sensitive receptors.

Conditioning Live Entertainment Licenses to avoid or reduce the severity of such impacts is consistent with these General Plan/Coastal Land Use Plan policies.

FINANCIAL CONSIDERATIONS

No Additional Funding Requested at this time. Staff time to prepare the report is included in the Adopted FY 2023-24 General Fund Budget. However, in the event that the Council directs staff to research and develop amended regulations, or to undertake a more active monitoring or enforcement presence, there could be a need to budget for additional staff time, consultant services, City Attorney time, and/or needed equipment (e.g., decibel meters). In such a scenario, staff would likely include these added expenditures as part of the proposed next fiscal year budget for the Council's consideration.

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 regulating live entertainment and nuisance noise impacts.

The City Attorney's Office assisted in the preparation and review of this staff report, and will be present at the City Council meeting to assist in answering questions.

OPTIONS

1. Receive and file report (staff recommendation);
2. Provide direction to staff concerning the regulation and conditioning of live entertainment; or
3. Direct staff to return to a future Council meeting with proposed amendments to the City's Live Entertainment Ordinance.

PRINCIPAL PARTIES EXPECTED AT MEETING

Representatives from licensed Live Entertainment businesses
Supporters of live music entertainment
Residents negatively affected by live music entertainment

ATTACHMENTS

Attachment A. CMC Chapter 5.40, Live Entertainment
Attachment B. Entertainment License Application & Standard License Conditions
Attachment C. CMC Chapter 9.70, Public Nuisances
Attachment D. "Administrative" Entertainment License Conditions

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


Signature

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


Signature

Attachment A.

CMC Chapter 5.40 - Live Entertainment

Live Entertainment Licensing Program Update

March 25, 2024 City Council Meeting

Chapter 5.40 LIVE ENTERTAINMENT¹

5.40.010 Definitions.

A. "Entertainment" means:

1. Any live performance including but not limited to any act, play, review, pantomime, scene, dance act, song and dance act, or instrumental or other musical performance; or
2. Any form of dancing by employees of the establishment.

B. "Place of entertainment" means a building, room or hall open to the public, with or without charge, which building, room or hall does not have permanently fixed seats so arranged that a body of spectators can have an unobstructed view of the stage or area where the entertainment is performed, and in which the entertainment is ancillary to the serving of food and/or other refreshment and/or merchandise.

(Ord. 579 § 2 (part), 2002)

5.40.020 Exemptions from chapter applicability.

The provisions of this chapter shall not apply to entertainment conducted or sponsored by a non-profit or private club, organization or association to which members of the general public are not invited, nor to special events that are regulated pursuant to Chapter 10.68, or activities regulated by Chapter 14.71.

(Ord. 579 § 2 (part), 2002)

5.40.030 Entertainment license required.

It is unlawful for any person conducting, operating, owning or in control of any place of entertainment open to the public within the city to allow any entertainment upon the premises, or in or upon any adjoining room or premises under his or her control, unless there has been granted to such person a valid yearly entertainment license therefore, pursuant to the provisions of this chapter.

(Ord. 579 § 2 (part), 2002)

5.40.040 License application and fee.

Application for an entertainment license shall be filed with the community development director on forms furnished by the director. At the time the application is approved, the applicant shall pay an annual fee as set by resolution. Notwithstanding the provisions contained in this chapter, the applicant shall, unless exempt therefrom, procure any and all other licenses and approvals required by this code.

(Ord. 579 § 2 (part), 2002)

¹Prior history: Prior code §§ 6600, 6603 as amended by Ord. 548.

5.40.050 Investigation and grounds for issuing license.

No application shall be approved without the investigation and report of the sheriff's department and the Carpinteria-Summerland fire protection district. The above-named officials shall include in their reports all manner of information and required conditions deemed reasonably necessary to protect the public health, safety and welfare. The community development director shall make an investigation of the matters contained in the completed application form and the report of the sheriff's and fire departments, and issue the license, pursuant to this chapter should the community development director determine that issuance of such license is consistent with the provisions of this chapter and protects the public health, safety and welfare. In addition, no license shall be issued to an applicant who:

- A. Is under the age of twenty-one years;
- B. Has been found guilty by final judgment of a court of competent jurisdiction of a violation of the law involving any one of the following: a felony, a sex offense, soliciting for prostitution, and/or a narcotics offense.

(Ord. 579 § 2 (part), 2002)

5.40.060 License form and period of validity.

All licenses shall be on forms furnished by the community development director and shall be issued for one year.

(Ord. 579 § 2 (part), 2002)

5.40.070 License issuance and non-transferability.

All licenses issued under this chapter will be issued to individuals only and no license may be assigned, transferred or loaned to any other person, entity or establishment.

(Ord. 579 § 2 (part), 2002)

5.40.080 License conditions.

The following minimum requirements shall apply for the operation of all places of live entertainment:

- A. **Lighting.** Every establishment shall be lighted throughout to an intensity of not less than three foot candle power during all hours of operation except while the entertainment is conducted, provided however, that the immediate area on and around any performer shall be lighted by not less than one-half foot candle power at all times. Such light intensity shall be measured at no more than thirty inches from the floor.
- B. **Hours.** No entertainment shall be permitted between the hours of one a.m. and nine a.m., except with the written consent of the community development director.
- C. **Intoxicated Persons.** Licensee shall not permit any person in an intoxicated condition to enter or remain on the premises.
- D. **Telephones.** The licensee shall provide at least one pay telephone or courtesy telephone in the building for use by patrons, and shall have at least one private telephone for use by the operators of the establishment.

-
- E. Noise. The licensee shall not permit the noise level of the attendees or entertainment to reach a level that is offensive or disturbing to the surrounding neighborhood, residences, motels, hotels or other uses that may be in the area.
 - F. Manager. Every establishment shall have a manager on the premises at all times when entertainment is conducted.
 - G. Entrance and Exit. All entrances and exits shall be well illuminated, clearly marked and kept free of all obstructions at all times.
 - H. Inspection by Sheriff's or Fire Departments. The property owner and licensee shall permit any member of the sheriff's department or fire district, acting in his or her official capacity, to inspect the establishment during hours of operation.
 - I. Additional Requirements. Licensee shall comply with such other conditions, rules and regulations as the city or community development director may establish in addition to all other applicable provisions of this chapter.

(Ord. 579 § 2 (part), 2002)

5.40.090 Sheriff's authority.

Any officer of the sheriff's department shall have the power to terminate any live entertainment for disturbance of the peace, disorderly conduct, or for violation of any law or ordinance.

(Ord. 579 § 2 (part), 2002)

5.40.100 License denial, suspension or revocation.

The community development director shall have the exclusive authority to issue licenses under this chapter and may refuse to issue such license, or may cancel, suspend or revoke any such license after such license has been issued, if he or she learns that the same was procured by fraud or false representation of facts or that the applicant or licensee failed to comply with the provisions and requirements of this chapter, or for any other reason which the community development director finds detrimental to the public health, safety or welfare.

(Ord. 579 § 2 (part), 2002)

5.40.110 Denial or revocation appeal.

If a license is revoked or denied, the applicant or licensee may apply to the city council by filing a notice of appeal with the city clerk within ten days of the community development director's decision to deny or revoke said application or license. The city council shall hear the appeal at its next available meeting. The applicant or licensee shall be allowed to present both oral and written testimony that is relevant to the appeal. The city council's decision on the appeal shall be final.

(Ord. 579 § 2 (part), 2002)

Attachment B.

Entertainment License Application & Standard License Conditions

**Live Entertainment Licensing Program Update
March 25, 2024 City Council Meeting**



CITY OF CARPINTERIA
5775 CARPINTERIA AVENUE
CARPINTERIA, CA 93013
www.carpinteriaca.gov
(805) 684-5405

COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION FOR

Entertainment License

Date of Application:		
Name of Business:		
Address of Business:		
Applicant Name(s):		
Business and Contact Phone Number(s):		
Email Address:		
Type of Business:		
Type of Entertainment:	Days of the Week:	
Hours of Entertainment:	Approximate Attendance:	
Has this business or its owner(s) ever been charged or convicted of any misdemeanor or felony offense? Yes ☐ No ☐		
Describe the type of music, type of amplification, lighting and other special equipment related to entertainment:		
Description of Supervision and Security During Entertainment:		

Please list all owners, managers or staff who will be responsible and on the premises during entertainment. Use additional sheets if necessary.

Name	Title		Home Address		Phone
Email	Age	Sex	Weight	Height	Birth Date
Eye Color / Hair Color			Driver's License No.	Make of Vehicle	Vehicle License No.
Has this person ever been charged with any offense (misdemeanor or felony)?					
If yes, describe below. Yes ☐ No ☐					
Location of Arrest		Charge		Sentence	
1					

Name	Title		Home Address		Phone
Email	Age	Sex	Weight	Height	Birth Date
Eye Color / Hair Color			Driver's License No.	Make of Vehicle	Vehicle License No.
Has this person ever been charged with any offense (misdemeanor or felony)?					
If yes, describe below. Yes ☐ No ☐					
Location of Arrest		Charge		Sentence	
1					

Name	Title		Home Address		Phone
Email	Age	Sex	Weight	Height	Birth Date
Eye Color / Hair Color			Driver's License No.	Make of Vehicle	Vehicle License No.
Has this person ever been charged with any offense (misdemeanor or felony)?					
If yes, describe below. Yes ☐ No ☐					
Location of Arrest		Charge		Sentence	
1					

Applicant shall submit the following items with the application:

1. A scaled floor plan of the premises showing where the entertainment will occur.
 - a. Shall include the following:

Stage(s), seating, bar(s), windows, doors, all exits and all other structures or furniture associated with the entertainment.

Entertainment License Conditions: (Municipal Code Section 5.40 Live Entertainment)

The following minimum requirements shall apply to all places of live entertainment:

- A. Lighting. Every establishment shall be lighted throughout to an intensity of not less than three foot-candle power during all hours of operation except while the entertainment is conducted,

provided however, that the immediate area on and around any performer shall be lighted by not less than one-half foot-candle power at all times. Such light intensity shall be measured at no more than thirty inches from the floor.

B. Hours. No entertainment shall be permitted between the hours of one a.m. and nine a.m., except with the written consent of the community development director.

C. Intoxicated Persons. Licensee shall not permit any person in an intoxicated condition to enter or remain on the premises.

D. Telephones. The licensee shall provide at least one pay telephone or courtesy telephone in the building for use by patrons, and shall have at least one private telephone for use by the operators of the establishment.

E. Noise. The licensee shall not permit the noise level of the attendees or entertainment to reach a level that is offensive or disturbing to the surrounding neighborhood, residences, motels, hotels or other uses that may be in the area.

F. Manager. Every establishment shall have a manager on the premises at all times when entertainment is conducted.

G. Entrance and Exit. All entrances and exits shall be well illuminated, clearly marked and kept free of obstructions at all times.

H. Inspection by Sheriff's or Fire Departments. The property owner and licensee shall permit any member of the sheriff's department or fire district, acting in his or her official capacity, to inspect the establishment during hours of operation.

I. Additional Requirements. Licensee shall comply with such other conditions, rules and regulations as the city or community development director may establish in addition to all other applicable provisions of this chapter.

J. At such time that the management or owner changes from that noted in the attached application, a revised application shall be submitted to the City for review and approval.

K. The subject business shall be inspected by the Carpinteria Summerland Fire Protection District and the Santa Barbara County Sheriff's Department prior to approval of the subject permit.

L. Maximum Occupancy: _____
(Carpinteria-Summerland Fire Protection District)

_____	_____	_____	_____
Signature of Applicant	Name of Applicant	Title	Date

Note: If any of the above statements are falsely answered, it will be reason for denial of the license. All licensees shall submit to a "Live Scan" background check. License shall be nontransferable. Change of business ownership, licensee or manager shall require submittal of a new application.

(OFFICE USE ONLY)

License Fee: \$ _____ **(Annual) Date:** _____ **Receipt #** _____ **By:** _____

Special Districts and Departments:	Fire: _____	Sheriff: _____
	Date: _____	Date: _____

Conditions or notes:

Approved By _____ **Title** _____ **Date** _____

Attachment C.

CMC Chapter 9.70 – Public Nuisances

Live Entertainment Licensing Program Update

March 25, 2024 City Council Meeting

Chapter 9.70 PUBLIC NUISANCES

9.70.010 Public nuisance as a violation of code.

The maintenance or creation of a public nuisance shall be a violation of this code.
(Ord. 563 § 2 (part), 2000)

9.70.020 Public nuisance defined.

For the purposes of this chapter, a public nuisance is:

- A. Anything which is injurious to health, including, but not limited to, the illegal sale of controlled substances, or an unlawful act which is indecent or offensive to the senses, or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property of others, or the unlawful obstruction of the free passage or use, in the customary manner, of any creek, river, bay, stream, canal, or basin, or any public park, square, street, or highway and affects an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal;
- B. Real property that repeatedly has been the situs of nuisance activity, including but not limited to:
 - 1. Disturbing the peace, or
 - 2. Illegal drug activity, or
 - 3. Public drunkenness, or
 - 4. Harassment of passers by, or
 - 5. Illegal gambling, or
 - 6. Prostitution, or
 - 7. The sale of stolen goods, or acts of violence, or
 - 8. Public urination, or
 - 9. Acts of lewd conduct, or
 - 10. Unreasonably loud noise, or
 - 11. Loitering, or
 - 12. Excessive littering;
- C. The maintenance of property or structure(s) in the following manner:
 - 1. Excessive overgrowth of vegetation, dead, decayed or diseased trees, growth of weeds or deposit of garden waste that are likely to harbor rats or vermin, constitute a fire or health hazard, or may be dangerous to the public health, safety or welfare,
 - 2. Any defective or deteriorated building that (a) constitutes a potential fire hazard or (b) may result in structural failure or (c) creates an unhealthful condition for surrounding residents,

-
3. Any abandoned or vacated building or structure, left in a condition of disrepair that is easily accessible to the public,
 4. The outside storage or accumulation of lumber or other construction materials and/or equipment, junk, trash, recyclable material, salvage, materials or debris that is visible from any public area. For the purpose of this subsection, the term "debris" shall include unused or discarded matter and material having no substantial market value. This shall include, but is not limited to rubble, asphalt, concrete, plaster, tile, rocks, bricks, soil, building materials, crates, cartons, containers, boxes, machinery or parts thereof, scrap metal and other pieces of metal or parts thereof,
 5. Abandoned, discarded or unused furniture, appliances, sinks, toilets, cabinets, or other household fixtures or equipment that is visible from a public area;

D. Any other condition identified in the Carpinteria Municipal Code as a public nuisance.

(Ord. 563 § 2 (part), 2000)

9.70.030 Power to determine public nuisance.

In addition to these enumerated public nuisances, the city council shall have the power to declare by resolution what conditions, acts or omissions constitute a nuisance.

(Ord. 563 § 2 (part), 2000)

9.70.040 Enforcement.

The city shall have the power to abate all public nuisances in any manner that is provided for in this municipal code or state or federal law, either in law or equity. The abatement of public nuisances is subject to the remedies and penalties pursuant to Chapters 1.06 and 1.08 of this code.

(Ord. 609 § 1 (part), 2005; Ord. 563 § 2 (part), 2000)

Attachment D.

Administrative Entertainment License Conditions

Live Entertainment Licensing Program Update

March 25, 2024 City Council Meeting

CITY of CARPINTERIA, CALIFORNIA



CITY OF CARPINTERIA ENTERTAINMENT LICENSE ADDITIONAL CONDITIONS OF APPROVAL

These conditions of approval and application materials are incorporated into this Entertainment License. These conditions of approval are part of the Entertainment License issued pursuant to Carpinteria Municipal Code (CMC) Section 5.40.080 (License Conditions). The conditions of approval specified herein are established under CMC Section 5.40.080(l) as written or as it may be amended from time to time. In the case of conflict between the application and these conditions of approval, these conditions of approval shall take precedence and are enforceable.

1. Live Entertainment presently is allowed outdoors pursuant to the City of Carpinteria's COVID-19 Outdoor Business Permit Program through December 31, 2023 at 11:59 p.m. (See Ordinance No. 744, 746, 749, 754, 761 & 767). Following the expiration of the COVID-19 Outdoor Business Permit Program, all Live Entertainment shall be conducted indoors consistent with CMC Section 5.40.010.
2. Live Entertainment shall occur for a cumulative maximum of two (2) hours on weekdays (Monday –Thursday) and for a cumulative maximum of six (6) hours on weekends (Friday – Sunday). Live Entertainment shall occur no more than eight (8) hours total in a given week.
3. Live Entertainment involving amplifying equipment shall end by 9:00 p.m. Monday through Thursday and Sundays, and 10:00 p.m. on Friday and Saturday. Live Entertainment outdoors under the COVID-19 Outdoor Business Permit Program shall end 8:00 p.m. on Monday through Thursday and Sundays, and 9:00 p.m. on Friday and Saturday. Live Entertainment shall not start before 9:00 a.m. any day.
4. Live Entertainment conducted indoors shall not be audible farther than 300 feet from the property line. Live Entertainment under the COVID-19 Outdoor Business Permit Program (1) shall not cause a disturbance 500 feet from the property line to persons of normal sensitivity and (2) shall not be audible farther than 750 feet from the property line. Audible means capable of being heard for a duration in excess of ten minutes. If feasible, Live Entertainment should face away from the nearest residential location(s) and avoid unreasonable noise impacts to residential locations.
5. Sound levels shall be reduced or eliminated upon request by law enforcement or code compliance staff, whose instructions shall supersede the CMC and any provision of this Entertainment License.
6. The business owner and manager shall be responsible to comply with the conditions placed on the Entertainment License.

7. The Entertainment License shall be available at the business and made available to law or code compliance staff upon request. The business owner and manager shall maintain records of the number and duration of Live Entertainment events and make those records available to law enforcement or code compliance staff upon request.
8. Within any license year, more than three (3) warnings and citations, in combination, issued by law enforcement or code compliance staff for disorderly conduct, unreasonable noise, a violation of the CMC or permit conditions, or other acts that interfere with public health, welfare and safety, may warrant suspension or revocation of this Entertainment License. Regardless of the above, any one violation (e.g., blatant disregard to law enforcement or code compliance staff instructions or other egregious conduct) may also warrant suspension or revocation of this Entertainment License.
9. Entertainment Licensees also may host live entertainment under a Special Event Permit, Temporary Use Permit or special promotional event, in which cases the conditions imposed on the permit or special promotional event shall govern said live entertainment.
10. At such time that the management or owner changes from those individuals specified in the original application, a revised application shall be submitted to the City for review and approval.
11. Entertainment Licenses are not transferrable to another person, entity or location.
12. The application and Entertainment License do not confer an entitlement or vested right to receive a subsequent Entertainment License.
13. Entertainment Licensees shall abide by all conditions of their ABC license, if applicable.

_____ I acknowledge and agree that City may amend CMC Chapter 5.40 ("Live Entertainment"), and as such, City reserves the right to unilaterally amend (including add or delete) any standard condition or special condition at any time. City may further temporarily suspend live entertainment at any or all location(s) in furtherance of public health, welfare or safety, or to accommodate competing uses in an area (e.g., pandemic health order, or citywide festivals and events).

_____ I have read and understand the requirements listed above. If I have any questions regarding these requirements, I understand that I may contact the Community Development Department about any questions or concerns I might have regarding my Entertainment License.

Signature

Printed Name

Date



Bills of Interest

As of March 15, 2024

REVENUE AND TAXATION

Property Taxes

- **[AB 2564](#) (Boerner) Property Tax Postponement: Senior Citizens and Disabled Citizens Property Tax Postponement Fund.**
This measure would reinstate General Fund support for the Senior Citizens and Disabled Citizens Property Tax Postponement Program.
Cal Cities Position: Support
- **[SB 1164](#) (Newman) Property Taxation: New Construction Exclusion: Accessory Dwelling Units.**
This measure would exempt new ADU construction from property tax assessment for 15 years from the date of completion or until the property is sold.
Cal Cities Position: Pending ***HOT***

Sales and Use Tax

- **[AB 2274](#) (Dixon) Taxation: Sales and Use Taxes: Exemption: Tax Holiday.**
This measure would create sales tax exemptions for personal property purchased during the first weekend in August of each year.
Cal Cities Position: Pending
- **[SB 1494](#) (Glazer) Local Agencies: Sales and Use Tax: Retailers.**
This measure, as of January 1, 2024, would prohibit a city from entering a sales tax rebate agreement with a retailer. As of January 1, 2030, this measure would make all existing sales tax rebate agreements void and unenforceable.
Cal Cities Position: Pending ***HOT***
- **[AB 2854](#) (Irwin) Bradley-Burns Uniform Local Sales and Use Tax Law.**
This measure is a spot bill dealing with the Bradley-Burns local sales and use tax.
Cal Cities Position: Pending ***HOT***

Gaps

- **[SB 955](#) (Seyarto) Office of Planning and Research: Infrastructure Gap-Fund Program.**
This measure, upon appropriation, would establish the Infrastructure Gap-Fund Program at the Office of Planning and Research to provide grants to assist cities and counties with infrastructure projects.
Cal Cities Position: Support

TRANSPORTATION, COMMUNICATION & PUBLIC WORKS

Autonomous Vehicles

- **[SB 915](#) (Cortese) Autonomous Vehicles: Local Control and Increased Public Safety.**
This measure would require an autonomous vehicle (AV) service to obtain approval for local service by the adoption of a local ordinance or resolution. It would also require the establishment of an override system accessible by local law enforcement and first responders in case of an emergency.
Cal Cities Position: Co-Sponsor/Support

- **[AB 1777 \(Ting\) Autonomous Vehicles.](#)**
Intent Language.
Cal Cities Position: Support in Concept
- **[AB 1786 \(Rodriguez\) Autonomous Vehicles.](#)**
Intent Language.
Cal Cities Position: Pending
- **[AB 2286 \(Aguiar-Curry\) Autonomous Vehicles.](#)**
This measure would prohibit the operation of an autonomous vehicle with a gross vehicle weight of 10,001 pounds or more without a human safety operator physically present in the autonomous vehicle at the time of operation.
Cal Cities Position: Support

Advanced Clean Fleets

- **[AB 2418 \(Patterson\) Federal Pre-emption.](#)**
This measure would allow the federal emissions standards to preempt California's more restrictive requirements.
Cal Cities Position: Support in Concept
- **[AB 2626 \(Dixon\) 10-Year Delay.](#)**
This measure would allow local government a 10-year delay.
Cal Cities Position: Support
- **[AB 3219 \(Sanchez\) Price Caps.](#)**
This measure would establish price caps on the retail sale of ZEVs.
Cal Cities Position: Sponsor
- **[SB 1393 \(Niello\) Appeals Advisory Committee.](#)**
This measure would establish an Appeals Advisory Committee to review appeals of denied requests for exemptions.
Cal Cities Position: Preliminary Support
- **[AB 2266 \(Petrie-Norris\) Voucher Incentives.](#)**
This measure would require the state board to authorize a voucher to be used for the acquisition of any zero-emission vehicle.
Cal Cities Position: Support

Gas Tax

- **[AB 3005 \(Wallis\) Motor Vehicle Fuel Tax Law: Adjustment Suspension.](#)**
This measure would authorize the Governor to suspend an adjustment to the motor vehicle fuel tax, thus adversely impacting local revenues to maintain and improve local transportation projects.
Cal Cities Position: Oppose

State Transportation Project Costs

- **[SB 947 \(Seyarto\) Department of Transportation: Project Design Changes.](#)**
This measure would make the Department of Transportation responsible for additional costs after the project is included in the state transportation improvement program or the state highway operation and protection program.
Cal Cities Position: Seeking Feedback

Permitting

➤ **[SB 983](#) (Wahab) Energy: Gasoline Stations and Alternative Fuel Infrastructure.**

This measure would require the State Energy Resources Conservation and Development Commission to conduct a study on retail gasoline fueling stations and alternative fuels infrastructure and prohibit a local government from banning the construction or maintenance of retail gasoline fueling stations or alternative fuel infrastructure.

Cal Cities Position: Oppose Unless Amended

➤ **[SB 1418](#) (Archuleta) Hydrogen-Fueling Stations: Administrative Approval.**

This measure would extend the sunset of the existing requirement for local municipalities to administratively approve applications to install hydrogen-fueling stations. Also, this measure would require the adoption of an ordinance that creates an expedited, streamlined permitting process for hydrogen-fueling stations by 2025.

Cal Cities Position: Oppose

Electric Bicycles

➤ **[AB 1773](#) (Dixon) Electric Bicycles: Restricted Use.**

This measure would prohibit, unless authorized by a local municipality, the use of an electric bicycle on boardwalks.

Cal Cities Position: Pending Support

➤ **[AB 1778](#) (Connolly) Electric Bicycles: Helmets.**

This measure would require a person operating/riding a class 2 electric bicycle to wear a helmet.

Cal Cities Position: Support

➤ **[AB 2234](#) (Boener) Electric Bicycles: Safety Program.**

This measure would require the Department of Highway Patrol to develop a safety and training program for the use of an electric bicycle.

Cal Cities Position: Support

➤ **[SB 1216](#) (Blakespear) Transportation Projects: Class III Bikeways.**

This measure would prohibit an agency from installing a Class III bikeway or restriping a Class III bikeway on a highway that has a posted speed limit greater than 30 miles per hour and withhold funds from being allocated to a project that creates a Class III bikeway.

Cal Cities Position: Concerns

➤ **[AB 2290](#) (Friedman) Transportation Projects: Class III Bikeways.**

This measure would prohibit the allocation of Active Transportation Program funds for a project that creates a Class III bikeway unless the project is on a residential street with a posted speed limit of 20 miles per hour or less.

Cal Cities Position: Concerns

Broadband

➤ **[AB 1826](#) (Holden) Digital Equity Franchising Act.**

This measure would establish a stronger anti-discrimination standard for cable franchises and expand stakeholder engagement opportunities during CPUC franchise reviews.

Cal Cities Position: Support

➤ **[AB 2708](#) (Patterson, J.) Digital Equity Franchising Act.**

This measure would expand the annual report generated by the Office of Broadband and Digital Literacy to include the total cost to complete the statewide open-access middle-mile

broadband network, the total available funding for the statewide open-access middle-mile broadband network, and the projected completion date for the statewide open-access middle-mile broadband network.

Cal Cities Position: Support

PUBLIC SAFETY

Retail Theft – Assembly Legislation

➤ **AB 1794 (McCarty) Crimes.**

This measure would make changes to retail theft and is currently a spot bill.

Cal Cities Position: Pending ***HOT***

➤ **AB 2943 (Rivas and Zbur) Crimes: Shoplifting.**

This measure would make several changes to retail theft including aggregation, repeat offenders, and on-line resellers.

Cal Cities Position: Pending ***HOT***

➤ **AB 1960 (Soria) Sentencing Enhancements: Property Loss.**

This measure would create sentencing enhancements for taking, damaging, or destroying property in the commission or attempted commission of a felony.

Cal Cities Position: Pending

➤ **AB 1772 (Ramos) Theft.**

This measure would make changes to Proposition 47 including reinstating felony theft with a prior conviction.

Cal Cities Position: Pending

➤ **AB 1779 (Irwin) Theft: Jurisdiction.**

This measure would no longer limit jurisdictional rules for specified theft crimes to criminal action brought by the Attorney General.

Cal Cities Position: Pending

Retail Theft – Senate Legislation

➤ **SB 982 (Wahab) Crimes: Organized Theft.**

This measure permanently repeals the sunset date on the organized retail theft statute which is currently January 1, 2026.

Cal Cities Position: Support

➤ **SB 1242 (McGuire) Community Correctional Facilities.**

This measure is a spot bill that is expected to be amended to address penalties for criminals who start fires in order to engage in retail theft.

Cal Cities Position: Pending

➤ **SB 1416 (Newman) Retail Theft.**

This measure increases penalties on professional organized retail theft for large-scale resale schemes.

Cal Cities Position: Pending

Cannabis

➤ **SB 820 (Alvarado-Gil) Cannabis: Enforcement: Seizure of Property.**

This measure would provide that the civil asset forfeiture provisions, currently applicable to unlicensed manufacturing of alcoholic beverages (i.e., moonshining), to cover unlicensed commercial cannabis activities.

Cal Cities Position: Support

- **[SB 1064 \(Laird\) Cannabis.](#)**
This measure is a spot bill for reform to the permitting process for cannabis.
Cal Cities Position: Pending

Emergency Services

- **[AB 1168 \(Bennett\) Emergency Medical Services \(EMS\): Prehospital EMS.](#)**
This measure would clarify a city or fire district's right to retain its authority over emergency ambulance services if a city or fire district enters into an agreement with a county for the joint exercise of powers for emergency ambulance services.
Cal Cities Position: Sponsor/Support

Fentanyl

- **[AB 3171 \(Soria\) Controlled Substances: Fentanyl.](#)**
This measure would increase penalties for the sale or purchase of more than 28.35 grams of fentanyl.
Cal Cities Position: Support
- **[SB 1502 \(Ashby\) Controlled Substances: Xylazine.](#)**
This measure would state the intent of the Legislature to enact legislation to increase criminal penalties for the illicit use of xylazine.
Cal Cities Position: Pending
- **[SB 21 \(Umberg\) Controlled Substances.](#)**
This measure would require a person who is convicted of crimes related to controlled substances to receive a written advisory of the danger of manufacturing or distribution of controlled substances and that, if a person dies because of that action, the distributor can be charged with voluntary manslaughter or murder.
Cal Cities Position: Support

SB 357 (Wiener, 2022) reform

- **[AB 2034 \(Rodriguez\) Crimes: Loitering for the Purpose of Engaging in a Prostitution Offense.](#)**
This measure would make it a misdemeanor to loiter in a public place with the intent to commit prostitution. This measure would also provide that a person's clothing shall not solely determine whether a person is loitering.
Cal Cities Position: Pending

Public Safety – Miscellaneous

- **[AB 1725 \(McCarty\) Law Enforcement Settlements and Judgments: Reporting.](#)**
This measure would require cities and counties to post financial details about law enforcement use-of-force settlements and judgments on their internet websites, including how much each settlement cost and how the state and municipalities will pay for each settlement.
Cal Cities Position: Pending
- **[AB 1814 \(Ting\) Law Enforcement Agencies: Facial Recognition Technology.](#)**
This measure would prohibit a law enforcement agency or peace officer from using facial recognition technology generated match as the sole basis for probable cause in an arrest, search, or warrant.
Cal Cities Position: Support
- **[AB 2042 \(Jackson\) Police Canines: Standards and Training.](#)**
This measure would require the Commission on Peace Officers Standards and Training (POST) to develop standards and training guidelines for the use of canines by law enforcement which focus on restricting canine activity. It would also require each law enforcement agency in

California, on or before January 1, 2027, to adopt a policy for the use of canines that complies with these standards.

Cal Cities Position: Oppose

➤ **[AB 3241](#) (Pacheco) Law Enforcement: Police Canines.**

This measure would require the Commission on Peace Officers Standards and Training (POST) to develop standards and training guidelines for the use of canines by law enforcement by referencing existing law and procedures. It would also require each law enforcement agency in California to adopt a policy for the use of canines that complies with these standards.

Cal Cities Position: Support

Housing, Community, and Economic Development

Development Fees

➤ **[AB 1820](#) (Schiavo) Housing Development Projects: Applications. Fees And Exactions.**

This measure would require local agencies to provide an estimate of all taxes and fees within 10 business days of a request from a project applicant during the preliminary application process.

Cal Cities Position: Pending ***HOT***

➤ **[SB 937](#) (Wiener) Development Projects: Permits And Other Entitlements: Fees And Charges.**

This measure would limit the ability of local governments to collect mitigation fees to either when a certificate of occupancy is issued, or once construction commences for the projects the fees will be used for. It also prohibits local governments from specific agreements with developers for fee payment.

Cal Cities Position: Pending

➤ **[SB 1210](#) (Skinner) New Housing Construction: Electrical, Gas, Sewer, and Water Service Connections: Charges.**

This measure would cap fees for electrical, gas, or water services at 1% of the total building permit value of new housing construction.

Cal Cities Position: Pending

Housing Element

➤ **[AB 1886](#) (Alvarez) Housing Element Law: Substantial Compliance: Housing Accountability Act.**

This measure would allow the Builder's Remedy to begin as soon as the Department of Housing and Community Development or a court determines a jurisdiction's housing element is out of compliance.

Cal Cities Position: Pending

➤ **[AB 1893](#) (Wicks) Housing Accountability Act: Housing Disapprovals: Required Local Findings.**

This measure would allow the Builder's Remedy apply if the Department of Housing and Community Development determines that a local jurisdiction is not in compliance with Housing Element Law and a proposed development project provides a minimum of 10% of the units for low-income or very low-income residents. This measure would limit the Builder's Remedy only to areas zoned for residential and mixed-use development and caps maximum density.

Cal Cities Position: Pending ***HOT***

➤ **[AB 2023](#) (Quirk-Silva) Housing Element Substantial Compliance: Rebuttable Presumptions.**

This measure would make it more difficult for jurisdictions to challenge HCD's determination that its housing element is not in substantial compliance with the law.

Cal Cities Position: Pending

➤ **[SB 951](#) (Wiener) California Coastal Act of 1976: Coastal Zone: City and County of San Francisco**

This measure would require coastal cities to update their Local Coastal Programs during each housing element cycle.

Cal Cities Position: Pending

Parking

- **[SB 834](#) (Portantino) Vehicles: Preferential Parking: Residential, Commercial, or Other Development.**

This measure would prohibit local governments from providing local parking privileges to residents and vendors for any development within a half mile of public transit.

Cal Cities Position: Pending

- **[SB 1211](#) (Skinner) Land Use: Accessory Dwelling Units.**

This measure would require local agencies to allow a minimum of two detached, new construction ADUs on a multifamily dwelling unit and allow up to 25% of the existing lot to have ADUs on site. It would also prohibit local governments from requiring off-street parking spaces to be replaced if a carport, covered parking structure, or uncovered parking space is converted to an ADU.

Cal Cities Position: Pending

Governance, Transparency, and Labor Relations

Ralph M. Brown Act

- **[AB 817](#) (Pacheco) Open Meetings: Teleconferencing: Subsidiary Body.**

This measure would remove barriers to entry for appointed and elected office by allowing nondecision-making legislative bodies to participate in two-way virtual teleconferencing without posting their location.

Cal Cities Position: Co-Sponsor/Support

- **[AB 2302](#) (Addis) Open Meetings: Local Agencies: Teleconferences.**

This measure would clarify, for the purpose of counting meetings attended by teleconference, would define a “meeting” as any number of meetings of the legislative body of a local agency that begin on the same calendar day. The measure would also revise the limits imposed under AB 2449.

Cal Cities Position: Pending

- **[AB 2715](#) (Boerner) Ralph M. Brown Act: Closed Sessions.**

This measure would allow matters of cybersecurity to be discussed by a legislative body of a local agency during closed session, provided that any action taken on those matters is done in open session.

Cal Cities Position: Pending

Ethics Training

- **[AB 2631](#) (Fong, Mike) Local Agencies: Ethics Training.**

This measure would, contingent upon an appropriation for these purposes, require the Fair Political Practices Commission to create, maintain, and make available to local agency officials an ethics training course.

Cal Cities Position: Co-Sponsor/Support

Political Reform Act of 1974

- **[AB 270](#) (Lee)/ [SB 24](#) (Umberg) Political Reform Act of 1974: Public Campaign Financing.**

This measure would place a measure on the November 2024 ballot that would provide voters the opportunity to decide to remove the current prohibition on public financing of campaigns in California.

Cal Cities Position: Support

- **[AB 2041](#) (Bonta, Mia) Political Reform Act Of 1974: Campaign Funds: Security Expenses.**
This measure would lift existing limitations and add needed expansions to how campaign funds may be used for security expenses.
Cal Cities Position: Support

California Public Records Act

- **[AB 1785](#) (Pacheco) California Public Records Act.**
This measure would define “home address” to include an assessor’s parcel number under the California Public Records Act. Current law prohibits a state or local agency from posting the home address of any elected or appointed official on the internet without first obtaining the written permission of that individual.
Cal Cities Position: Pending
- **[AB 2153](#) (Lowenthal) California Public Records Act: Public Agency Employees: Notice Requirements: Personnel and Medical Information.**
This measure would require cities, upon receipt of a request for a copy of, or the inspection of, any personnel, medical, or similar records of a city employee or any record that would disclose an employee’s personal identity in connection with the performance of that employee’s work duties, to promptly and prior to the release of the records, provide written notice of the request to that public agency employee.
Cal Cities Position: Pending
- **[AB 2283](#) (Pacheco) Public Records: Employee Personnel Records: Notice.**
This measure would require a public agency that receives a request for the personnel records of one of the public agency’s employees to provide written notice to the employee within 48 hours of receipt of the request.
Cal Cities Position: Pending
- **[AB 2439](#) (Quirk-Silva) Public Records: Owners and Developers.**
This measure would require an owner, developer, or their agents who receives public funds from a public agency to perform a public works project to be subject to the act in connection with records that it prepares, owns, uses, or retains relating to that public works project. It would also require them to establish written guidelines for accessibility of records and make the guidelines publicly accessible.
Cal Cities Position: Pending
- **[SB 908](#) (Cortese) Public Records: Legislative Records: Electronic Messages.**
This measure would prohibit an elected or appointed official or employee of a public agency from creating or sending a public record using a nonofficial electronic messaging system unless the official or employee sends a copy of the public record to an official electronic messaging system.
Cal Cities Position: Pending
- **[SB 1034](#) (Seyarto) California Public Records Act: State of Emergency.**
This measure would revise the unusual circumstances under which the time limit may be extended to include the need to search for, collect, appropriately examine, and copy records during a state of emergency proclaimed by the Governor when the state of emergency has affected the agency’s ability to timely respond to requests.
Cal Cities Position: Pending

Elections

- **[SB 251](#) (Newman) Candidates’ Statements: False Statements.**

This measure would increase the maximum fine for knowingly making a false statement of a material fact in a candidate's statement from \$1,000 to \$5,000.

Cal Cities Position: Support

➤ **[AB 2355](#) (Carillo, Wendy) Political Advertisements: Artificial Intelligence.**

This measure would require a person, committee, or other entity that creates, originally publishes, or originally distributes a qualified political advertisement to include in the advertisement a specified disclosure that the advertisement was generated, in whole or in part, using artificial intelligence.

Cal Cities Position: Pending

➤ **[AB 2839](#) (Pellerin) Elections: Deceptive Media in Advertisements.**

This measure would prohibit a person, committee, or other entity from knowingly distributing an advertisement or other election communication that contains certain materially deceptive and digitally altered or digitally created images or audio or video files, with the intent to influence an election or solicit funds for a candidate or campaign. This measure would apply this prohibition within 120 days of an election and, in specified cases, 60 days after an election.

Cal Cities Position: Pending

Labor Relations

➤ **[AB 2421](#) (Low) Employer-Employee Relations: Confidential Communications.**

This measure would prohibit a local public agency employer from questioning any employee, or employee representative regarding communications made in confidence between an employee and an employee representative in connection with representation relating to any matter within the scope of the recognized employee organization's representation.

Cal Cities Position: Pending

➤ **[SB 1116](#) (Portantino and Durazo) Unemployment Insurance: Trade Disputes: Eligibility For Benefits.**

This measure would grant employees unemployment eligibility after two weeks of leaving work to strike.

Cal Cities Position: Pending Oppose

Worker's Compensation

➤ **[SB 1205](#) (Laird) Workers' Compensation: Medical Benefits.**

This measure would make an employee who is working entitled to receive all reasonable expenses of transportation, meals, and lodging to receiving treatment, in addition to one day of temporary disability indemnity, or a percentage of one day of temporary disability indemnity representative of the percentage of the wages lost receiving treatment.

Cal Cities Position: Pending

➤ **[SB 1346](#) (Durazo) Workers' Compensation: Aggregate Disability Payments.**

This measure would authorize the Workers' Compensation Appeals Board to award temporary disability benefits if a denial of treatment requested by a treating physician is subsequently overturned by independent medical review. In doing so, it would further complicate California's claims-handling process and create an incentive to unnecessarily challenge Utilization Review (UR) decisions through Independent Medical Review (IMR).

Cal Cities Position: Pending

CalPERS

➤ **[SB 252](#) (Gonzalez) Public Retirement Systems: Fossil Fuels: Divestment.**

This measure would prohibit the California Public Employees' Retirement System (CalPERS) from investing in the 200 largest fossil fuel companies effective on January 1, 2024, and would require the system to divest existing investments in the companies on or before July 1, 2031.

Cal Cities Position: Oppose

Cities Week

➤ **[ACR 137](#) (Pacheco) Cities Week**

This measure would proclaim the week of April 14, 2024, to April 20, 2024, to be Cities Week, and would encourage all Californians to be involved in their communities and be civically engaged with their local government.

Cal Cities Position: Sponsor

ENVIRONMENTAL QUALITY

Air Quality

➤ **[AB 2796](#) (Alvarez) Equitable Access To Zero Emissions Vehicles Fund.**

This measure would establish the Equitable Access to Zero-Emission Vehicles Fund and would make moneys in the fund available, upon appropriation by the Legislature, for a new vehicle rebate program. This measure would require the California Air Resources Board, by July 1, 2025, to establish a program to offer rebates for the purchase of zero-emission vehicles. The measure would require the Board to submit a report to the Legislature every two years describing the rebates and other incentives provided by the fund.

Cal Cities Position: Support

➤ **[AB 1857](#) (Jackson) State Air Resources Board: Air Quality Regulation: Valleys.**

This measure would require the California Air Resources Board to adopt regulations to improve air quality in population centers located in valleys and would require each local air district to implement those regulations with regard to stationary sources located within its jurisdiction. This measure would make these requirements inoperative on January 1, 2029, and would require the Board, on or before January 1, 2030, to submit a report to the Legislature and specific Legislative Committees describing any air quality improvements resulting from those regulations.

Cal Cities Position: Oppose Unless Amended

Climate Change

➤ **[AB 2372](#) (Bains) Greenhouse Gas Emissions: State Board: Report.**

This measure would require the California Air Resources Board to report to the Legislature by 2030, instead of 2035, an evaluation of the feasibility and tradeoffs of achieving the policy goal of reducing greenhouse gas emissions to at least 85% below the statewide limit by 2045.

Cal Cities Position: Support

➤ **[AB 2409](#) (Papan) Office of Planning and Research: Permitting Accountability Transparency Dashboard.**

This measure would require the Office of Planning and Research, on or before January 1, 2026, to create and maintain, a permitting accountability and transparency dashboard on their internet website. This measure would require the dashboard to include a display for each permit to be issued by specified state agencies for all covered projects with an estimated cost of \$100 million or more.

Cal Cities Position: Pending

Solid Waste and Recycling

➤ **[SB 972](#) (Min) Methane Emissions: Organic Waste Landfills.**

This measure would require CalRecycle to strengthen statewide efforts to support local jurisdictions to remove organic waste from landfills and reduce methane emissions. The measure would require CalRecycle to develop procedures to allow local jurisdictions to request assistance and would also require CalRecycle to report back to the Legislature on the

progress of diverting organic waste from landfills by 2028 and how to better align organic waste efforts with the state's other climate goals and policies by 2031.

Cal Cities Position: Sponsor/Support ***HOT***

➤ **SB 1046 (Laird) Organic Waste Reduction: Program Environmental Impact Report: Composting Facilities.**

This measure would require CalRecycle to prepare a program environmental impact report that streamlines the process with which local jurisdictions can develop and site small and medium compost facilities for processing organic waste.

Cal Cities Position: Support

➤ **AB 2346 (Lee) Organic Waste Regulations: Procurement of Recovered Organic Waste Products.**

This measure would authorize local jurisdictions to be credited for the procurement of recovered organic waste products through an agreement with a direct service provider. This measure would also authorize local jurisdictions to count towards their procurement targets, compost produced and procured from community composting operations, on-farm compost operations, and home compost operations.

Cal Cities Position: Pending

Disaster Preparedness

➤ **AB 2330 (Holden) Endangered Species: Routine Fuel Management Activities.**

This measure would streamline permits for local agencies to remove vegetation and perform fuel management activities in fire hazard severity zones adjacent to urban communities. This measure would also require the state to overlay existing critical habitat maps with fire hazard severity zone maps to help local and state officials identify and streamline the necessary permits.

Cal Cities Position: Sponsor/Support ***HOT***

Energy

➤ **AB 1999 (Irwin) Electricity: Fixed Charges.**

This measure would repeal the California Public Utilities Commission's (CPUC) authority to develop, no later than July 1, 2024, an income-graduated fixed charge, with no fewer than three income thresholds. This measure would permit the CPUC to not exceed a \$5 fixed charge per residential customer per month for low-income customers enrolled in the California Alternate Rates for Energy (CARE) program and \$10 fixed charge per residential customer per month for all other customers.

Cal Cities Position: Pending

Water

➤ **AB 3121 (Hart) Urban Retail Water Suppliers: Written Notice: Conservation Order: Dates.**

This measure would revise the dates when the State Water Resources Control Board may issue written notices and conservation orders if an urban retail water supplier is not meeting their urban water use objective.

Cal Cities Position: Support If Amended

➤ **SB 1330 (Archuleta) Urban Retail Water Suppliers: Water Use.**

This measure would require the State Water Resources Control Board to adopt the Department of Water Resources (DWR) recommended variances such as seasonal population or water used to irrigate vegetation for fire protection to incorporate into an urban retail water suppliers overall urban water use objective. This measure would require DWR to update data for outdoor landscapes once every ten years. This measure would allow an urban retail water supplier to submit annual reports to the state on a calendar or fiscal basis. This measure would require an urban retail water supplier to describe the water demand management measures it is taking to achieve its urban water use objective by January 1, 2030.

Cal Cities Position: Pending ***HOT***

COMMUNITY SERVICES

Housing Bond

- **[AB 1657](#) (Wicks) The Affordable Housing Bond Act of 2024.**
This measure would place a \$10 billion bond measure on the November 2024 ballot to spur the production of affordable and supportive housing.
Cal Cities Position: Support ***HOT***

Recovery Housing

- **[AB 2081](#) (Davies) Substance Abuse: Recovery and Treatment Programs.**
This measure would require an operator of a licensed drug and alcohol treatment facility to publicly disclose on its website any legal, disciplinary, or other enforcement action brought by the Department of Health Care Services, including the date and nature of the violation.
Cal Cities Position: Co-sponsor/Support ***HOT***
- **[AB 2121](#) (Dixon) Community Care Facilities.**
This measure would require the Department of Health Care Services to notify cities when a new license for a drug and alcohol treatment facility is approved within their jurisdiction. This measure would also implement distance requirements between these licensed facilities and between other group homes licensed by other state departments.
Cal Cities Position: Sponsor/Support ***HOT***
- **[AB 2574](#) (Valencia) Alcoholism or Drug Abuse Recovery or Treatment Facilities.**
This measure would codify existing case law from 2019 (City of Dana Point v. New Method Wellness, Inc.), which determined that unlicensed recovery homes operating as part of a licensed treatment facility located elsewhere may be considered unlawful business use within a residential zone.
Cal Cities Position: Sponsor/Support ***HOT***
- **[SB 913](#) (Umberg) Health.**
This measure would augment state licensing efforts by requiring the Department of Health Care Services to adopt a process that would allow cities to request approval to conduct site visits of unlicensed sober living homes based on the city's reasonable belief that the home is providing one or more nonmedical services requiring licensing and would allow the city attorney to enforce compliance with existing state licensing laws.
Cal Cities Position: Sponsor/Support ***HOT***
- **[SB 1334](#) (Newman) Substance Use Disorder Treatment: Licensing.**
This measure would authorize local jurisdictions to require a use permit or conditional use permit for any recovery residence that services seven or more residents. This measure would also allow local jurisdictions to require recovery residences to be located at least 1,000 feet from another state-licensed alcohol or drug recovery facility or recovery residence.
Cal Cities Position: Pending

Behavioral Health

- **[SB 1017](#) (Eggman) Available Facilities for Inpatient and Residential Mental Health or Substance Use Disorder Treatment.**
This measure would require the State Department of Health Care Services, in consultation with the State Department of Public Health and the State Department of Social Services, to develop a solution to collect, aggregate, and display information regarding the availability of inpatient and residential mental health or substance use disorder treatment. This measure would require the solution to be operational by January 1, 2026.

Cal Cities Position: Pending

➤ **[SB 26](#) (Umberg) Mental Health Professions: CARE Scholarship Program.**

This measure would establish a scholarship program to increase the behavioral health workforce needed to implement the CARE Act.

Cal Cities Position: Pending

Aging

➤ **[AB 2207](#) (Reyes) State Boards and Commissions: Representatives of Older Adults.**

This measure would add representatives from organizations that serve or advocate for older adults to numerous state boards and commissions.

Cal Cities Position: Pending

➤ **[SB 37](#) (Caballero) Older Adults and Adults with Disabilities Housing Stability Act.**

This measure would administer a housing subsidy program for older adults and adults with disabilities experiencing homelessness or at risk of homelessness.

Cal Cities Position: Pending