

RESOLUTION NO. 6001

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA APPROVING THE FORMATION OF AN AD HOC RACIAL EQUITY AND SOCIAL JUSTICE PROGRAM PLANNING COMMITTEE OF THE CITY COUNCIL

WHEREAS, the City of Carpinteria ("City") City Council ("City Council") from time to time finds it beneficial to form a committee of its membership to address a particular subject or work matter and to make related recommendations to the City Council; and

WHEREAS, on June 8, 2020 the City Council adopted Resolution No. 5981 in response to the recent unjustified killing of George Floyd (as well as countless others) and to condemn the unjustified use of force and brutality against Black people, people of color and all marginalized communities, including lesbian, gay, bisexual, transgender, queer, intersex, asexual, and all sexual gender minorities (LGBTQIA+) by law enforcement and to stand in solidarity with protestors of systemic racism in our country; and

WHEREAS, through its adoption of Resolution No. 5981, the City Council committed the City to, among other things, (1) collaborate with law enforcement to further community-oriented policing, build trust with the community and ensure the safety of all community members, (2) review and revise City policies to incorporate anti-racist policies into City government and ensure the equitable distribution of resources and public services, and (3) collaborate with, support, and amplify minority-owned businesses, community groups and non-profit organizations within the City and broader community (jointly referred to herein as the City's "Resolution No. 5981 Commitments"); and

WHEREAS, in order to begin implementing Resolution No. 5981 Commitments, the City Council directed staff to move forward with sequentially forming two separate committees, the first being an ad hoc committee of the City Council formed to develop recommendations concerning the City's interest in establishing a racial equity and social justice program ("Ad Hoc Committee"); and

WHEREAS, the City Council has determined that the Ad Hoc Committee will be comprised of two councilmembers tasked with the responsibility to research and recommend to the City Council a consultant, and a process, schedule, and budget for the City to implement Resolution No. 5981 Commitments; and

WHEREAS, upon the completion of the above tasks, the City Council directs staff to terminate the Committee and to form a blue ribbon committee on racial equity and social justice ("Blue Ribbon Committee"), to include two councilmembers and community stakeholders (the parameters for community stakeholder involvement yet to be determined) and be tasked with implementing the City's Resolution No. 5981 Commitments.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The recitals above are true and correct.

SECTION 2. The City Council hereby creates the Ad Hoc Committee consisting of councilmembers FRED SHAW and MAYOR WADE NOMURA.


SECTION 3. The Ad Hoc Committee shall have the following roles and responsibilities: research and recommend to the City Council a consultant to assist the City with implementing its Resolution No. 5981 Commitments; work with the consultant to develop a process, schedule, and budget for this work; and further define the role of the Blue Ribbon Committee.

SECTION 4. Unless otherwise amended by action of the City Council, the Ad Hoc Committee shall be terminated upon completion of its responsibilities outlined in Section 3 above.

SECTION 5. The Ad Hoc Committee will be subject to the Ralph M. Brown Act (Gov. Code §§ 54950 *et seq.*).

PASSED, APPROVED, AND ADOPTED on this 10th day of August, 2020, by the following vote:

AYES: COUNCILMEMBER(S): CARTY, LEE, SHAW, CLARK, NOMURA
NOES: COUNCILMEMBER(S): NONE
ABSENT: COUNCILMEMBERS(S): NONE
ABSTAIN: COUNCILMEMBERS(S): NONE



Mayor, City of Carpinteria

ATTEST:


City Clerk, City of Carpinteria


City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was adopted was adopted at a regular meeting of the City Council of the City of Carpinteria held on August 10, 2020.



City Clerk, City of Carpinteria

APPROVED AS TO FORM:



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

ATTACHMENT B



City of Carpinteria

COUNCIL AGENDA STAFF REPORT
June 22, 2020

ITEM FOR COUNCIL CONSIDERATION

Consider and discuss options that align with the commitments identified in Resolution No. 5981 and discuss potential actions to support related objectives of furthering racial equity and justice within local law enforcement, City policies, and through engagement with stakeholders and community groups.

STAFF RECOMMENDATION

Action Item ; Non-Action Item

Receive staff report and provide direction to City staff as determined appropriate.

BACKGROUND

In response to the recent unjustified killing of George Floyd (as well as countless others) and the subsequent protests across the nation, the City of Carpinteria ("City") adopted Resolution No. 5981, attached hereto as Attachment A, to condemn the unjustified use of force and brutality against Black people, people of color and all marginalized communities including LGBTQ+ individuals by law enforcement and to stand in solidarity with protestors of systemic racism in our country.

By adopting Resolution No. 5981, the City has joined municipalities and local governments across the country in recognizing, and focusing on community engagement around racial equity issues, including intentional policy-making that reduces racial inequities and promotes community transparency and trust. The City's action also aligns with state and nationwide focus on these critical issues which are detrimental not only to particular racial groups, but also to the broader economic and social well-being of the entire community. On June 15, 2020 Gov. Gavin Newsom's Task Force on Business and Jobs Recovery issued an open letter, noting the effects of structural racism on society, including the economy, and urging action for a more

inclusive and resilient economy. The letter outlines how people of color are disproportionately impacted by economic uncertainty, unemployment, and racism in policing, and highlights the income gaps across ethnicity, gender and ability that persist in our state. It notes, "taking a stand against racism is not just a moral imperative for our collective future, but an economic one. The discrimination inflicted upon Black Americans has entrenched discrimination that harms other people of color—leaving them, and our entire economy, vulnerable to a shock like the COVID-19 crisis." Moreover, "recovering from COVID-19 also presents an opportunity to re-imagine our society and economy by striking out against injustice."

The City is home to many minorities, indigenous people, and people of color, including a vibrant Hispanic and Latino comprising approximately 45% of our population.¹ As memorialized in Resolution No. 5981, the City itself is not immune from a history of injustice towards racial minorities and commits to engage in a process that actively promotes racial equity within the City's population by reviewing and improving existing policies and subsequently revising and/or implementing new policies, actions, and programs to combat identified sources of injustice. Specifically, through its adoption of Resolution No. 5981, the City made several key commitments which can be organized into the following three general categories: (1) committing to collaborate with law enforcement to further community-oriented policing, build trust with the community and ensure the safety of all community members (see Resolution No. 5981, § 4), (2) committing to review and revise City policies to incorporate antiracist policies into City government and ensure the equitable distribution of resources and public services (see Resolution No. 5981, § 6); and (3) collaborating with, supporting, and amplifying minority-owned businesses, community groups and non-profit organizations within the City and broader community (see Resolution No. 5981, § 7).

The purpose of this agenda matter is to create an opportunity for the City Council to discuss and identify next steps to furthering the commitments of addressing systemic racism and inequality through City government included in Resolution No. 5981.

DISCUSSION

At this time, the City is just beginning to gather ideas, resources, key metrics and proven policy examples from research institutions and other jurisdictions to assess and prioritize future actions to support antiracist governance. To begin this discussion, City staff has conducted research including documenting examples of policies, initiatives and case studies to advance racial equity and improve economic, social, and health conditions for all City residents.

City staff and the City Council recognize that confronting the legacy of racial injustice and actively promoting racial equity within our community (as well as across the nation) is both challenging and highly important work. These efforts will be an ongoing, long-term process that will require sustained effort, and openness to learning from and

¹ See <https://www.census.gov/quickfacts/fact/table/carpinteriacitycalifornia/PE120218>.

engaging with experts and minority community leaders in enacting research-based, community-tailored, anti-racist policies. Although the City's commitments (as outlined above and below) all share the same goal of ensuring and facilitating racial equity and justice, staff expects that the City's role in implementation of specific policies, initiatives, and programs will change based on the situation. For example, while the City will likely take a lead role in reviewing City policies and programs for inequities, it may make more sense for the City to take a more collaborative approach and coordinate with existing governmental and/or community organizations to ensure the equitable provision of non-City based services. Similarly, as addressed above and in the text of Resolution No. 5981, it will be important for both City staff and the City Council to collaborate with and continue to learn from leaders of minority and social justice groups. The City is lucky to be home to a number of community groups and organizations actively working to combat inequities within the Carpinteria community; in some instances, therefore, it may be most effective for the City to partner with these existing organizations to further the commitments outlined in Resolution No. 5981

Although the following staff report outlines and discusses various actions to combat racism, staff would like to highlight the City's practice and commitment to drafting and implementing inclusionary policies. For example, the City's Mission Statement recognizes the right of community members to influence decisions that affect their well-being and create forums for meaningful citizen participation, ensuring equitable regulation and service delivery. The City's Mission Statement also recognizes that needs and expectations may vary throughout the community, and the rights of our community members to take action to ensure diverse opportunities in housing, employment, and cultural activity in the community. The City's Sustainable Community Policy is also drafted to promote well-being and health, and ensure all community members have opportunities to contribute to a productive community. The following ideas and proposals are meant to build on the City's existing policies and to ensure that, going forward, policy-making is undertaken with intention to combat inequities and support racial justice and the equitable provision of public services across the City's diverse demographics.

The following policies, initiatives, and programs are not exhaustive and are included as initial examples to start a conversation among City staff, City Councilmembers and other elected and appointed City officials, and the broader community. Based on the discussion during this agenda item, and City Council's direction, staff plans to continue to research example policies, initiatives and actions, and collaborate with local community groups to build a robust process to implement Resolution No. 5981, consistent with the direction of this Council and the community. For the purpose of this discussion, staff has organized the following proposed policies, initiatives, and programs around the three commitments highlighted in Resolution No. 5981: (1) collaboration with law enforcement, (2) review of City policies, and (3) engagement with community groups and leaders.

1. Collaboration with Law Enforcement

The City will continue to work collaboratively with our local law enforcement to build community trust and legitimacy, implement community-oriented policing, and maintain a safe community as exemplified in specific provisions in the City's law enforcement contract. (Resolution No. 5981, § 4.)

The issues raised on a national level concerning police brutality and unjustified use of force by law enforcement are important, valid and have implications for our local law enforcement. The City's contract with Santa Barbara County for law enforcement services creates a somewhat unique situation where many of the decisions to change trainings and/or protocols are not within the City Council's direct control, nor scope of work. The City can, however, review its contract with County law enforcement to ensure services are deployed in a manner consistent with the needs and priorities of our community and as determined necessary, begin the process of identifying areas for improvement that may be discussed during contract renegotiation. To this end, the City Council could consider directing staff to review the City's current contract with the County Sheriff's Office with the following concepts (and the goal of ensuring racial justice) in mind:

- A. Racial Sensitivity Trainings for Officers.** The City could request the County Sheriff's Office to consider implementing and requiring officers—particularly those stationed in the City—to undergo special racial sensitivity trainings.
- B. Community Representation.** Although nature of the City's contractual relationship with the County Sheriff's Office for law enforcement services means that the City is not involved in hiring practices, the results of these practices are critical in ensuring that, over time, the Sheriff's Office is able to deliver adequate services within the City. For example, the City may want to consider working with the County Sheriff's Office with the goal of ensuring that the officers stationed within the City are representative of City demographics, including ensuring that officers have adequate Spanish and other language fluency skills to appropriately communicate with the City's residents.
- C. Data Sharing to Improve Transparency.** A key aspect of pursuing the City's commitments outlined above will be reviewing and understanding data in an attempt to identify opportunities for improvement. To this end, the City could work with the County Sheriff's Department to ensure that both the Sheriff's Office and the City have adequate systems and personnel in place to collect and share data and information on how law enforcement services are being provided within the City.
- D. Review of Patterns and Trends in Service Calls.** The City may also want to collaborate with the Sheriff's Office to review patterns and trends in (1) local calls for service (location, type, etc.) and (2) the outcome of those calls (contact, citation, arrest, follow-up action, etc.) in order to better understand how local law

enforcement services are being used across demographics within the City and identify areas for improvement.

- E. Review of City Code Enforcement Policy.** The City may also want to review specific aspects of the City's Code Enforcement policy—including policies, regulations, and practices—pertaining to minor crimes and infractions that may disproportionately burden and/or impact low-income and minority individuals. For example, various aspects of the City's parking enforcement program (and resulting violations) may disproportionately impact lower-income and/or minority residents and households.
- F. Development of Action Plan.** Because of the contractual nature of the City's law enforcement, the City may want to coordinate and engage with the Sheriff's Office in how to best facilitate initiating a process for determining and prioritizing opportunities for the improvement of local law enforcement services to ensure that these services align with the City's values, such as transparency, accountability, community trust building, and are equitably delivered to all City residents.

2. Review of City Policies

The City recognizes that as a community we have to actively work to be antiracist, including educating ourselves, better supporting leaders and institutions who are working to combat injustice and systematic racism, and working together toward the more equitable distribution of resources and public services. We commit to continuing to learn about, reflect on, and incorporate antiracist policies into City government, and strengthen a climate incompatible with racism in our community and nation. (Resolution No. 5981, § 6.)

To begin implementing the above commitment, one option is for your Council to request City staff to review and audit its policies and programs within the various City departments (Community Development; Public Works; Parks, Recreation and Public Facilities; community communication; City staffing; volunteer services; and Emergency Services) to better understand usage, equity of benefits across the spectrum of economic, social and racial groups within our community. This work will help to first identify how the City's services are used by and benefit various groups within our community, where inequities exist in opportunities and services, inequities in community representation and how inequities can subsequently be improved, including:

- A. District Elections.** Moving from the City's current at-large election process to district elections could improve the equity of representation across various racial and economic groups within the community on the City Council.²

² Note that the City currently employs an at-large method of elections where each City Councilmember is elected by registered voters of the entire City instead of district elections. After the 2020 Census, the City

- B. City Staffing and Hiring.** To improve the demographic representation of City staff (from Management down to front-line workers), the City could explore opportunities to increase diversity in the applicant pool for open positions and ensure existing diverse City staff members are appropriately supported in their positions to promote retention and promotion.
- C. Appointment to Boards, Commission and Committees.** In making appointments to various City boards, commissions, and committee, the City Council could consider reviewing and revamping its outreach, advertisement and nomination process to ensure that it is reaching diverse segments of the City's population and residents and/or incentivize youth and broader community involvement.
- D. Parks and Open Space.** The City could audit the City's policies on providing recreation services, with a focus on locations, improvements, and types of facilities that actively promote diverse interaction and community building.³
- E. Transportation.** The City could audit its transportation goals and policies (pedestrian, bicycle, other public transit, etc.) in order to ensure that services are equitably benefitting all City residents and collaborate with SBCAG and MTD to improve outreach and participation for local dialogue regarding the adequacy/equity of service within the City.
- F. Housing.** The City could review its housing policies and regulations through the lens of understanding the racially disparate patterns of homeownership, rent burden and homelessness. As your Council is aware, the area of housing policy has received a lot of interest and attention in the state legislature over the past several years and, as a result, the City has been engaged in a lot of policy work on this matter.
- G. Implementing Trainings and Policies within City Administration.** The City could develop and implement internal programs and training focused on City staff and administration (including hiring practices) for addressing bias, racism and fostering a climate within our City government that helps serve as a model for the broader community of an antiracist and inclusive climate.
- H. Engagement with other Local Governments.** To support the development of antiracist policies and regulations, the City could consider engaging other

is planning to begin the process of forming electoral districts, through a public process, for the City to implement district-based elections by 2021.

³ For example, recent studies have found that skateboarding and skateparks facilitate a sense of community. As you are likely aware, the City is currently in the process of permitting a skate park to be located near City Hall.

municipalities with shared goals by becoming a member of Government Alliance for Race and Equality (GARE).

3. Engagement with Community Groups and Leaders

To accomplish the goals of this Resolution, the City will highlight and collaborate with minority leadership and social justice groups. The City commits to developing resources that support and amplify minority-owned businesses, community groups and non-profit organizations within our City and broader community. (Resolution No. 5981, § 7.)

The City is home to many minorities and recognizes the important contribution of all groups to our community including many social, racial and environmental justice groups that have long been working on issues of equity and inclusion. The City's work, to be effective, will need to reflect community values and to be a part of a sustained and coordinated effort with the local community and community groups. The goal to such coordination is to help ensure that the process to further articulate and define goals and specific actions reflects a diverse range of perspectives and appropriately prioritizes the community's needs and actions for the greatest benefit.

- A. Community Survey.** In order to develop resources that support and amplify minority-owned businesses, community groups and non-profit organizations, as an initial step the City could consider implementing a survey to gather community input and identifying community needs and interests. Such a survey could also be used to track community perception of racial inequality and promote community buy in.⁴
- B. Support of Minority-Owned Businesses and Groups.** The City could develop policies and programs to support existing local minority-owned small businesses. Further, the City could request targeted community feedback to understand what, if any, impediments at the City level exist to growing the number of locally-owned small businesses by diverse entrepreneurs.
- C. Collaboration with Existing Community Leaders and Groups.** The City could also choose to collaborate with existing community organizations and institutions—including the Carpinteria Unified School District, the Boys' and Girls' Club, Girls, Inc., the Family Resource Center, among others—to support and implement the City's commitments and further actions. These existing

⁴ For example, the City of Seattle conducts an internal survey of all city employees every two years as well as a regular survey of city residents. These surveys allow Seattle to track the progress of the city as a whole, as well as individual departments, in terms of employee understanding of institutional and structural racism, and understanding of how departments are building racial equity into programs, policies, initiatives and budget decisions. Continued deployment of the survey allows the Seattle to track progress through time and evaluate the efficacy of programs at addressing racial equity and justice.

organizations could play an important role in bridging the relationship between local government and individual community members, specifically with issues related to educational opportunities.

- D. Creation of Racial Equity/Justice Position.** One potential approach could be for the City to review best practices and resources to memorialize job functions within the existing City structure and/or create new position(s) that improve community involvement and collaboration with minority leaders, as well as build capacity within underserved groups in our community.

FINANCIAL CONSIDERATIONS

As the City Council further considers and refines its desired actions, it may be necessary to hire additional City staff, collaborate with outside consultants and/or contract with existing community organizations (see above discussion re coordinating with existing community groups and organizations and GARE) to oversee and manage projects and programs. Should the Council direct further consideration of the type of work described in this report, related matters will be brought to council for consideration, including recommendations for how the work is to be accomplished and related expense projections.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

The City Attorney's Office has worked closely with City staff to research and develop this staff report and the various proposed policies, initiatives, and programs and will be available at the meeting to answer any questions.

OPTIONS

The City Council may receive and file this report, and/or direct staff to take further actions and/or bring back actions for the City Council to consider at future meetings.


ATTACHMENTS

Attachment A: Resolution No. 5981

Report prepared by and staff contact: Jena Acos
(805) 882-1427, jacos@bhfs.com


Signature

Report reviewed by: Dave Durlinger
(805) 684-5406, daved@ci.carpinteria.ca.us


Signature

ATTACHMENT A

RESOLUTION NO. 5981

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA CONDEMNING THE UNJUSTIFIED USE OF FORCE AND BRUTALITY USED AGAINST BLACK PEOPLE AND PEOPLE OF COLOR BY LAW ENFORCEMENT AND STANDING IN SOLIDARITY WITH NON-VIOLENT PROTESTORS OF RACIAL INJUSTICE AROUND THE COUNTRY

WHEREAS, the City of Carpinteria ("City") is horrified by the recent instances of police brutality and unjustified killings of Black people and people of color in the United States; and

WHEREAS, the City strongly denounces and condemns the recent unjustified killing of George Floyd and thousands of other Black people and people of color across the nation, and condemns all acts of racism, police brutality, racial profiling, and use of excessive force; and

WHEREAS, such killings highlight a history of systemic racism, trauma, and injustice to which many people of color, but in particular the Black community, have been subjected; and

WHEREAS, Santa Barbara County ("County") history itself is colored by the legacies of slavery, in that the County's first Black resident, Jerry Forney, was a slave; and

WHEREAS, the City is not immune from a history of injustice and racism, including once being a city with racially-segregated schools; and

WHEREAS, unjust use of force and brutality by law enforcement undermines community trust in the justice system and compromises important and necessary collaborative work between law enforcement, the justice system, and racial minorities in our communities; and

WHEREAS, marginalized communities, including LGBTQ+ individuals, immigrants, and those with disabilities, are also more likely to be subjected to unjust treatment by law enforcement; and

WHEREAS, the City stands in solidarity with non-violent protestors across the country who are demanding a more just nation, and recognizes the important role that such protests have played—and will continue to play—in our history to affect necessary change; and

WHEREAS, the City believes that steps to address racism and create a more just and inclusive society begin with community commitment, expressed by policies enacted at the local level; and

WHEREAS, the City's Mission Statement reflects the foundational importance of equity and inclusion in the provision of local government services and in the fulfillment of our commitment to democracy, and the City is proud of our history of condemning racial injustice and hate crimes, as expressed in Resolution No. 5938, the Resolution Condemning White Nationalism and White Supremacy; and

WHEREAS, as elected community leaders, the City Council recognizes the importance of ensuring that government, including the justice system and law enforcement, is held to the highest standards and actively works to recognize and counteract both systemic racism and unconscious bias; and

WHEREAS, the City recognizes that government authority and all citizens should work together to promote and protect equal justice under law, to work collaboratively, celebrating both our differences and our common commitment, and to bring all Americans together in unity to achieve these ends; and

WHEREAS, the City welcomes and serves immigrants, visitors, and people of all national origins, ethnicities, religious beliefs, gender and racial identities, sexual orientations, and creeds; and

WHEREAS, the City Council supports policies and efforts that reflect and uphold its commitment to public safety and to realizing a diverse, equal, and just community within our City, the County, and the nation as a whole.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARPINTERIA RESOLVES:

- Section 1.** The recitals above are true and correct.
- Section 2.** The City condemns police brutality and unjustified use of force.
- Section 3.** The City will not tolerate racism.
- Section 4.** The City will continue to work collaboratively with our local law enforcement to build community trust and legitimacy, implement community-oriented policing, and maintain a safe community as exemplified in specific provisions in the City's law enforcement contract.
- Section 5.** The City recognizes that police brutality and systemic racism impacting and traumatizing Black people and people of color in our country demands urgent and sustained attention, action and change in the institutions of our society, including transparency and accountability from local government and common commitment by all citizens.
- Section 6.** The City recognizes that as a community we have to actively work to be anti-racist, including educating ourselves, better supporting leaders and institutions who are working to combat injustice and systematic racism, and working together toward the more equitable distribution of resources and public services. We commit to

continuing to learn about, reflect on, and incorporate anti-racist policies into City government, and strengthen a climate incompatible with racism in our community and nation.


Section 7. To accomplish the goals of this Resolution, the City will highlight and collaborate with minority leadership and social justice groups. The City commits to developing resources that support and amplify minority-owned businesses, community groups and non-profit organizations within our City and broader community.

Section 8. The City commits to both learning from other leaders and providing leadership on these critical issues in Carpinteria.

PASSED, APPROVED, AND ADOPTED on this 8th day of June, 2020, by the following vote:

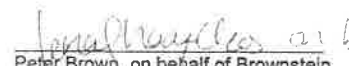
- AYES:** COUNCILMEMBER(S): LEE, CARTY, SHAW, CLARK, NOMURA
- NOES:** COUNCILMEMBER(S): NONE
- ABSENT:** COUNCILMEMBERS(S): NONE
- ABSTAIN:** COUNCILMEMBERS(S): NONE


Mayor, City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was adopted at a regular meeting of the City Council of the City of Carpinteria held on June 8, 2020.


City Clerk, City of Carpinteria

APPROVED AS TO FORM:

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