



# City of Carpinteria

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## COUNCIL AGENDA STAFF REPORT June 8, 2020

### **ITEM FOR COUNCIL CONSIDERATION**

Adoption of Resolution No. 5981, condemning the unjustified use of force and brutality against black people and people of color by law enforcement and standing in solidarity with non-violent protestors of racial injustice around the country.

### **STAFF RECOMMENDATION**

Action Item ; Non-Action Item

Adopt Resolution No. 5981.

Sample Motion: I move to approve and adopt Resolution No. 5981, as read by title only.

### **BACKGROUND**

From time-to-time the City Council elects to take positions on matters of public interest and concern. For example, in January 2020, the City Council adopted Resolution No. 5938, condemning white nationalism in response to the mass shootings in Dayton, El Paso, Thousand Oaks, and Pittsburgh.

Currently, in response to the killing of George Floyd, an African American man unjustifiably killed by a police officer in Minneapolis, Minnesota, many cities across the country are making statements to condemn and denounce this and similar unjustified killings, to support non-violent protests, and to support and initiate necessary responses. Councilmember Lee requested that Councilmembers authorize a resolution to be included on a council agenda. In response to receiving the request from Councilmember Lee, the Mayor and other Councilmembers have independently requested through the City Manager's office that this matter be scheduled.

### **DISCUSSION**

The City Council has consistently taken actions and spoken in support of making Carpinteria a welcoming, inclusive, and safe community for everyone, promoting freedom of expression and speech, while condemning racism, prejudice, and violence. The City's Mission Statement expressly states that the diversity of the community shall be recognized, and City government shall serve the interest of all residents, maintaining

an atmosphere in which the residents feel the City has their best interests at heart at all times.

The proposed resolution would establish a formal record of the City's condemnation of the recent unjustified killings of George Floyd, Dreasjon "Sean" Reed, Breonna Taylor Ahmaud Arbery, and Meagan Hockaday (as well as countless others) and its support for non-violent protests intended to bring attention to the problem of racism in society and, in particular, in our government institutions.

### **POLICY**

Taking formal positions on matters of public interest and concern is within the purview of the City Council. For example, it is in the City's interest to monitor and take positions, as deemed appropriate by City Council, on important matters that impact the Carpinteria community and or City projects and programs necessary or desirable to serve the community.

### **FINANCIAL CONSIDERATIONS**

There are no costs associated with taking a position as recommended.

### **LEGAL AND RISK MANAGEMENT**

No legal or risk analysis has been undertaken concerning this matter.

### **OPTIONS**

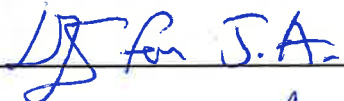

1. Approve and adopt Resolution No. 5981.
2. Direct changes to the draft resolution
3. Decline to adopt the resolution.

### **ATTACHMENT**

Draft Resolution No. 5981

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

Staff contact: Dave Durlinger, City Manager  
(805 755-4400, daved@ci.carpinteria.ca.us

  
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\_\_\_\_\_  
Signature

## 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 killings of George Floyd, Dreasjon “Sean” Reed, Breonna Taylor, Ahmaud Arbery, Meagan Hockaday (as well as numerous other black people and people of color) 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.

**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 June 8, 2020, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

\_\_\_\_\_  
Mayor, City of Carpinteria

ATTEST:

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City Clerk, City of Carpinteria

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

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City Clerk, City of Carpinteria

APPROVED AS TO FORM:

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

