City of Santa Paula

City Council

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CITY COUNCIL SPECIAL MEETING OF THE
SANTA PAULA CITY COUNCIL

WEDNESDAY, MARCH 15, 2023

4:00 PM - City Council Special Meeting

SANTA PAULA CITY HALL
970 VENTURA STREET
SANTA PAULA, CA 93060

JULIE LATSHAW, CITY CLERK
DAN SINGER, CITY MANAGER
MONICA CASTILLO, INTERIM CITY ATTORNEY

BRINGING ITEMS BEFORE THE CITY COUNCIL

You are invited to participate in all Regular City Council meetings. Agendas are posted in the front of Santa Paula City Hall, 970 Ventura Street, Santa Paula, 72 hours in advance of the scheduled meetings. The City Council's regular meetings start at 6:30 p.m. the first and third Wednesday of each month in the City Hall Council Chambers located at 970 Ventura Street in Santa Paula. Special and Closed Sessions vary by date and time.

HOW TO PARTICIPATE IN PERSON DURING THE MEETING: If you wish to speak at a City Council meeting, please fill out a ***Public Comment Form*** noting your name and address and submit the form to the City Clerk. Include the Agenda item number you wish to speak on. Members of the public may address the Council on items on this agenda only. ***Public Comments are limited to 3 minutes.***

HOW TO PARTICIPATE BEFORE THE MEETING: Members of the public are encouraged to submit email correspondence on any agenda item by sending an email to cityclerk@spcity.org. All public correspondence received by three hours before the meeting date will be provided to the legislative body before the meeting. Public Comments received after, will be provided to the legislative body the next day.

Your Participation in this meeting is in the public domain; meetings are cablecast; minutes of this meeting will reflect your participation in this meeting and are posted on the city's website.

PLEASE NOTE: *Be advised that if you bring a legal challenge to an action, you may be limited to raising only those issues you or someone else raised at the meeting described in this Agenda, or in written correspondence delivered to the City Council at or before the meeting. Any action is subject to the ninety-day time period set forth in Code of Civil Procedure § 1094.6.*

In compliance with the ***Americans with Disabilities Act****, if you need special assistance to participate in this meeting, please contact the City Clerk at (805) 933-4208. Notification 48 hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35, 102-35.104 ADA Title II). Written materials distributed to the City Council within 72 hours of the City Council meeting are available for public inspection immediately upon distribution in the City Clerk's office.*

SPECIAL MEETING - COUNCIL CHAMBERS

1. CALL TO ORDER

REMINDER: in order to minimize distractions during public meetings, all personal communication devices should be turned off or put in a non-audible mode.

2. ROLL CALL

3. PUBLIC COMMENT

At this time, members of the public may comment on any item appearing on the agenda only. Individual Councilmembers may briefly respond to Public Comments or ask questions for clarification. **Public Comments are limited to three minutes.**

4. STUDY SESSION

4.A DIVERSITY EQUITY AND INCLUSION REPORT

5. CLOSED SESSION

The City Council may move into a closed session pursuant to applicable law, including the Brown Act (Government Code §§ 54950, et seq.) for the following purpose:

5.A **CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE § 54956.8,** Property: East-Southeast of Hallock Drive and Telegraph Road (Triangle Property), APN: 107004405, Agency Negotiator: James Mason, Community and Economic Development Director, Negotiating Party: Ken Hira, Kosmont Company, Under Negotiation: Price and Terms of Payment

6. CLOSED SESSION REPORT

7. ADJOURNMENT

State of California)-

County of Ventura)- ss

City of Santa Paula)-

I declare under penalty of perjury that I posted this City Council Agenda on the bulletin board near the front door of City Hall, 970 Ventura Street, Santa Paula, California.

On_____at_____Signed:_____

Julie Latshaw

City Clerk

CITY OF SANTA PAULA
M E M O R A N D U M

TO: City Council

FROM: Dan Singer, City Manager

DATE: March 15, 2023

SUBJECT: Diversity Equity and Inclusion Report

Beginning in early 2021, following the establishment of the Equity and Social Justice ad-hoc committee, committee and staff have been reviewing policies and practices which may contribute to inequities in the organization and community. In addition, over the past two years, the committee held numerous listening sessions with community members. The Equity and Social Justice ad hoc committee was tasked with drafting a statement addressing racism, diversity and police brutality. The Committee's work included, but was not limited to, the following:

- Working with community stakeholders to develop a resolution addressing racism as a health crisis.
- Providing guidance to develop internal policies that prioritize, support, and invest in equity, diversity, and inclusion.
- Supporting and encouraging public participation to ensure meaningful engagement and capacity-building opportunities for residents most impacted by racial and social injustice.
- Developing a summary report that describes existing equity-related activities throughout City departments.
- Preparing a set of policies and recommended changes to City policies to promote equity and social justice.

The following report represents the culmination of the committee's work, findings, and considerations, and identifies existing policies and new practices which work to strengthen the City's commitment to equity and social justice.

The goal of the study session is to review the report and receive feedback from the full Council ahead of preparing a final report and supporting resolution for adoption at a regular City Council meeting.

On February 15th City Council held a special meeting to review the first draft of the report and provided feedback for staff regarding City policies & Practices. A second reading of the report and further review will continue at the March 15th special meeting.



City of Santa Paula

DIVERSITY EQUITY AND INCLUSION



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City of Santa Paula



Introduction

The content of this special report represents the culmination of the findings and recommendations of the City Council's Equity and Social Justice ad-hoc committee. On December 16, 2020 the Santa Paula City Council unanimously adopted Resolution 7318, which, in part, affirmed the Council's commitment to meaningful advancements of justice, equity, diversity, and inclusion, declaring the intent to end racial and social disparities internal to the City.

Resolution 7318 established an ad-hoc committee and the Mayor appointed Councilmembers Jenny Crosswhite and Andy Sobel to serve on the committee, to work with City staff to examine practices and policies, to meet with local organizations and individuals to obtain input on their experiences with the City, especially law enforcement, and to return to the Council with a report on their findings and recommendations. Although Resolution 7318 sought to have the committee return to the Council with findings within twelve months, the effort to gather input and data and to examine practices of other organizations has required more time and has now resulted in this final report.



About Santa Paula

The City of Santa Paula, California is located 65 miles northwest of Los Angeles and 14 miles east of Ventura and the coastline of the Pacific Ocean. Santa Paula is the geographical center of Ventura County, situated in the rich agricultural Santa Clara River Valley. The City is surrounded by rolling hills and rugged mountain peaks in addition to orange, lemon and avocado groves. In fact, Santa Paula is referred to as the "Citrus Capital of the World."

The City of Santa Paula was incorporated on April 22, 1902 and is a major distribution point for citrus fruits in the United States and is also noted for avocado producing and processing. The community has a quaint, small town image, ideal climate and reasonably priced housing. Santa Paula maintains its own identity and is in close proximity to the many tourist, recreational, and cultural activities that abound in Southern California.

Santa Paula covers an area of 4.6 square miles and has a population of (as of the 2020 Census) 30,297 residents with the population being 82.8% Latino/Hispanic with a median age of 32 years.



Background

On November 4, 2020, the Santa Paula City Council was asked to consider a resolution that declared racism as a public health crisis and called for numerous assurances aimed at addressing systemic racism, expanding social services, creating diversity in the workforce, and eliminating police brutality.

The tragic losses of individuals such as George Floyd, Ahmaud Arbery, Breonna Taylor, and many others, sparked a nationwide movement to address racial and social issues impacting Black Americans and addressing excessive uses of force by law enforcement personnel. Like cities across the nation, Santa Paula was home to Black Lives Matter protests, as well as calls for greater police oversight and changes in funding for police services. In July of 2020, Santa Paula Police embraced the "Eight Can't Wait" campaign by agreeing, among other things, to end choke holds, use de-escalation tactics, and hold police personnel accountable when observing officers who aren't following department policies.

As a result of the tragic events and numerous measures, as well as the City's efforts to end racial and social disparities. City Council proposed a resolution recognizing the City's commitment to strengthen the way it engages and convenes to protect and expand community voice and power. The proposed resolution set out to:

Background

- Acknowledge the historic role government has played in systemically driving and perpetuating societal inequities along racial, gender, and socioeconomic lines that have resulted in vastly different living and social conditions and access to opportunities;
- Recognize that systemic racism resulting from the inherent biases and prejudices within social and political organizations, groups, or institutions continue to create barriers to success for people of color;
- Recognize that systemic racism negatively impacts the social determinants of health, such as socioeconomic status, education, neighborhood and physical environment, employment, and social support networks, as well as access to health care; and
- Recognize that the City has to play a role in understanding and communicating the impacts that its decisions have on low income families, communities of color, LGBTQ+ individuals, people with disabilities, and other disadvantaged communities.

The Equity and Social Justice ad hoc committee was tasked with drafting a statement addressing racism, diversity and police brutality. The Committee's work was to include, but not be limited to, the following:

- Working with community stakeholders to develop a resolution addressing racism as a health crisis.
- Providing guidance to develop internal policies that prioritize, support, and invest in equity, diversity, and inclusion.
- Supporting and encouraging public participation to ensure meaningful engagement and capacity-building opportunities for residents most impacted by racial and social injustice.
- Study and analyze quantitative and qualitative indicators that show existing inequities and disparities in the City, and how the community experiences the City's desired outcomes
- Developing a summary report that describes existing equity-related activities throughout City departments.
- Preparing a set of policies and recommended changes to City policies to promote equity and social justice.

The Committee would report to the City Council at regular intervals and compile a final set of recommendations, for consideration by the City Council.

Current Efforts

Beginning in early 2021, following the establishment of the Equity and Social Justice ad-hoc committee, the committee and staff have been reviewing policies and practices which may contribute to inequities in the organization and community. The following section identifies existing policies and new practices which work to strengthen the City's commitment to equity and social justice.

Employment and Training

Santa Paula, like all local governmental organizations, must comply with all equal employment opportunity (EEO) State and Federal laws. The City's adopted Personnel Rules and Regulations set out to:

1. Ensure fair treatment and nondiscrimination in City hiring and City employment.
2. Provide compliance with State and Federal equal opportunity requirements and regulations.

These policies work to ensure the City considers hiring of persons based on ability and fitness, "regardless of race, religion, color, creed, national origin, sex, sexual orientation, marital status, age, mental or physical disability, and/or any other category protected by Federal and/or State law." Similarly, the City's Personnel Officer is responsible for examining internal policies or procedures to eliminate barriers to implement the City's EEO Policy.

The City is currently updating its Personnel Rules and will be considering a more explicit policy on Diversity, Equity and Inclusion (DEI), stating the City's commitment to fostering and cultivating a culture embracing diversity, equity and inclusion and establishing goals for diversity awareness and sensitivity training.

In 2021, all sworn members of the Santa Paula Police Department participated in Cultural Diversity training, offered through the Museum of Tolerance. The course is California POST (Police Officer Standardized Training) certified, with a focus on the evolving role of law enforcement in an increasingly diverse society.

Current Efforts

Employment and Training

The City Manager, as Personnel Officer for the City, is bound by terms of an employment agreement, which requires in Section 20A and 20B of that agreement compliance with the International City Manager Association's (ICMA) Code of Ethics. Tenet 11 of the Code states that members shall: "Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions, pertaining to appointments, pay adjustments, promotions, and discipline. All decisions...should prohibit discrimination because of race, color, religion, sex, national origin, sexual orientation, political affiliation, disability, age, or marital status. It should be the members' personal and professional responsibility to actively recruit and hire a diverse staff throughout their organizations."

Policies and Practices

The Santa Paula Police Department maintains extensive policies governing the behaviors, expectations and responsibilities of its sworn members.One critical component of the Department's policies is the section on Use of Force, which provides guidelines on the "reasonable use of force" every member is expected to adhere to (see SPPD Lexipol Policy: 300).

In 2021, the Department's Use of Force policies were revised to include explicit expectations for reporting suspected violations of the policy as well as anti-retaliation language against those who do report such violations.Further clarifications were made to define a "failure to intercede" a "duty to report excessive force" and added language requiring officers to "carry out their duties, including the use of force, in a manner that is fair and unbiased." Officers may now only use "a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance (Government Code Section 7286(b))."

In addition, State law requires the City to report to the California Department of Justice all officer-involved shootings and all incidents "involving the use of force resulting in serious bodily injury" [Government Code Section 12525.2].



Current Efforts

Eight Can't Wait

In response to the "Eight Can't Wait" campaign (Attachment "A" to this report, entitled: "Where We Stand"), the Santa Paula Police Department, with support from the City Council, altered its policies and practices in the following categories.

Choke Holds. The Department eliminated the use of Carotid Control Holds as a restraining technique. The Use of Force Policy now reads: "Officers of this department are not authorized to use a carotid restraint hold" (Lexipol Sections 300.3.4 and 300.3.7).

De-Escalation. The Policy was also revised to incorporate a section on "de-escalation" as a reasonable technique to persuade an individual "to voluntarily comply" in a way which "may mitigate the need to use a higher level of force to resolve the situation..." (Section 300.3.6 and Government Code Section 7286(b)). Periodic de-escalation training is also now required of all Santa Paula Police Officers.

Moving Vehicles. Terms of the policy were added to prohibit officers from shooting at or from a moving vehicle, making it clear that "Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle" (Section 300.4.1).

Displaying of Firearms. A new provision was added requiring officers to "carefully evaluate each tactical situation" in order to "use sound discretion when drawing a firearm in public" as "individuals might perceive the display of a firearm as a potential application of force" (Section 300.4.2).

Current Efforts

Outreach and Communication

In February 2020, the City launched a new, improved and more dynamic web site, bolstering content, information and resources, in a multi-lingual format. Also in 2020, the City initiated Spanish translation on all press releases, flyers and announcements, and social media posts, helping to break down language barriers and increasing access to information for the community's Spanish-speaking population.

Beginning in January 2023, the City launched a pilot program to ensure Spanish interpretation services would be provided at all regular City Council meetings. The program will be evaluated to determine effectiveness in the summer of 2023.

In 2021, the City's Parks & Recreation Department established a Social Services Coalition. The Coalition comprises more than 20 social service agencies and local non-profits working together to serve the Santa Paula community. The Coalition is about connecting resources to the community. Focus areas include networking/education, marketing/outreach, and community awareness/events.

The City Council utilized almost $300,000 in Federal American Rescue Plan funding to support local non-profits providing services during the pandemic to our most vulnerable residents and offset fees associated with many youth programs and services.





Current Efforts

Infrastructure

In 2019, the City Council adopted a Pavement Management Plan, which sets out to systematically improve all of the City's 55 miles of streets. In 2022 the Council earmarked funding to replace a total of 8 key pedestrian intersections to enhance safety, especially related to school sites, with pedestrian-activated flashing beacons. This technology provides proven safety features so that unsignalized crosswalks are made much safer for pedestrians.






Listening Tour & Research

Over the course of several months the Committee met with members of the community both in small groups and using virtual communications methods for the purpose of listening to community experiences and concerns.* In addition to these smaller listening sessions, the Committee also worked with city staff to advertise and host a larger listening session at the community center that was open to the general public. Conversations were held in both English and Spanish.

The committee asked participants for feedback on questions such as the residents' experience working with the city government, attending City Council meetings, interactions with the police department, any experiences of discrimination, and their general experiences living in Santa Paula. The Committee worked to create an atmosphere where participants felt comfortable sharing their experiences in order to help the Committee members define the problems, capture experiences, and bring back potential policy changes to the City Council.

* Since these sessions were held while the city was under a declared state of emergency for the COVID-19 pandemic, the Committee utilized virtual tools, met with smaller groups, or held gatherings in larger spaces (like the community center) to accommodate social distancing.



City Policies & Practices

Residents commented on a wide variety of issues that are under the purview of the city, or could be accomplished in partnership with other agencies. Some suggestions we heard have already been addressed by the City. The following issues were also communicated.

Policy Considerations/Partnerships:

- The cost of some community events inhibit participation
- The City should make sure all affected parties are notified when Public Works projects are happening in town
- When talking about city residents, we should limit saying “citizen” and should say “resident”.
- Not all community members have always felt welcome, safe, or comfortable attending city-sponsored meetings.
    - How do you create a safe space in council chambers for all people?
- Spanish as a Second Language Classes should be offered by the City
- Santa Paula should follow best DEI Practices for cities such as establishing DEI trainings for staff and Council
- Adopt a resolution declaring Racism as a Public Health Crisis
- Council should review its Street Names List and consider adding names to the list
- Santa Paula should partner with outside agencies to provide access/information to residents about worker and workplace grievance procedures to address.
    - Workplace discrimination
    - Who does workplace inspections/handles complaints?
    - Who can people call for assistance?
    - Is it possible to have surprise workplace inspections?
- The City should ensure Council conversations around topics of interest to the community occur in a more timely manner:
    - - Ex: RiNu Project, Community College, etc.



A. Housing

We heard from a number of residents about issues related to housing. Most commonly they were expressing concerns around rental affordability, accessibility, and dignity of living situations. We also heard about issues related to unhoused residents and over-housed seniors.

<u>Potential Policy Areas/Discussions:</u>

- Establishing eviction protections for residents
- Examining possible Rent Control/Rent Stabilization Policies
- Disseminating education materials regarding Renters Rights
- Education of Landlords about city policies, renters rights, and relevant state and federal legislation.
- Continuing to create more affordable housing opportunities and more units
- Ensuring affordable housing is accessible regardless of immigration status
- We heard about various issues getting into housing: Credit Issues with rentals, challenges with filling out paperwork, etc.
- The City needs improved Code Enforcement of rental units
- There is a need to address all unhoused residents:
  - Diversity of Housing Options (shelter, transitional, affordable)
  - Close-by Women/Family Shelter options
  - More resources for unsheltered residents
- Housing options available for over-housed Seniors looking to downsize.

B. Safety

There were a number of different discussions related to public safety, and the City's police department in particular. Some of these are related to student safety around our schools. Below is a summary of some of the issues we heard that could help improve police-community relations.

<u>Areas of Interest/Potential Discussions:</u>

- Response to 911 Calls
  - Review 911 responses times (Priority 1 Calls) and confirm the police dispatcher is offering the option of follow-up contact by officers, request to remain anonymous, or no follow-up contact.

- Domestic Violence:
  - Ensure Domestic Violence is properly reported by the police so it can be used for processing U-Visa documents on behalf of crime victims
  - Ensure best practices for Domestic Violence calls are being followed with regards to interviews of victims, suspects, and witnesses

- Regarding the culture of policing
  - Periodic updated training for best practices of interacting with crime victims
  - Training consisting of officers to interact professionally and compassionately with crime victims

- Explore best practices for Community Policing

- Safety for students arriving/leaving school
  - High visibility by school resource officers, patrol, and traffic car/motor officer
  - Pedestrian/traffic safety at pick-up and drop-off times
  - Parking issues, including cars double parked or creating gridlock

- Patrol city with integrity and an equity lens
- Establish a Resident Advisory Committee
- Host more community meetings/forums with the police department to address ongoing neighborhood problems.
- Ensure we have adequate Spanish speaking officers/resources to assist on calls with Spanish speaking residents.

C. Cost of living

We heard from many residents about the high cost of utilities (water/sewer, trash, electricity, gas, etc). We also heard about costs related to rental housing (see section: “HOUSING”).

Policy Considerations

- Water/Sewer Bills:
  - City should examine expenses in order to mitigate the rising cost of services
  - City should reduce the cost of Late Fees
  - The due date of water/sewer bills should more closely match standard pay periods
  - The arrival date of bills seems to fluctuate
  - Is there a legal timeframe for how long people have to pay their bill?

- Utility Assistance (including, but not limited to Water/Sewer)
  - Information about utility assistance programs
  - Low-income subsidies for Water/Sewer





D. Quality of life

What follows are a variety of issues and topics that residents addressed which affect their quality of life in the City. The list also includes options for ongoing work to continue addressing quality of life issues in the future.

Policy Considerations

- Strengthen the City's No-Smoking Ordinance
- Should we consider establishing an ongoing DEI Committee?
    - If so, do we invite Santa Paula Unified School District to be involved?
- Is street lighting working, sufficient, and present in areas of the city where residents desire to improve it?
- Providing exercise equipment for adults in parks to use while their children are playing
- Improvements to, and more frequent cleaning of park bathrooms
- Working with the School District to provide access to school playground facilities
- Extending the bike trail to east and west of the City
- Working with outside agencies around issues surrounding youth mental health and wellness
- Increased funding for the Youth Center and youth activities



E. Access to Information & Communication

We heard from many residents about the importance of having access to City-related information in a language they understand (most commonly Spanish). In addition, residents expressed that they did not always receive information they thought they had signed up to receive.

<u>Practices to consider:</u>

- Provide interpretation of Council Meetings
- Consider streaming of Council Meetings in Spanish
- Provide translated Council agendas
- Review new phone system to ensure it has improved residents' ability to contact departments and get responses in English and Spanish.
- Communication:
  - Work with Community groups to advertise Council meetings
  - Provide community with printable fliers for important meetings/topics
  - Make sure that the City's website sign-up form ("Notify Me") is working and that all departments are using the list serve
  - Consider ways/methods we use to share council actions and outcomes with the community
- Engagement with Residents:
  - Consider more non-traditional outreach venues: Soccer Games, Farmers Market, etc. to communicate key City initiatives and increase access to information

Appendix

City of Santa Paula

WHERE WE STAND

An Overview of the Santa Paula Police Department's Policies as Compared to #8CANTWAIT

Our police officers have a history of judicious, lawful and reasonable use of force consistent with well-established laws, policies, standards and community expectations. As a result, our policies are consistent with the **#8CANTWAIT** recommendations.

#1: BAN CHOKEHOLDS & STRANGLEHOLDS

The use of the Carotid Control Hold has been removed from all department trainings and allowable policing practices, effective immediately.

#2: DE-ESCALATION

All officers receive de-escalation and crisis intervention training, which emphasizes the use of interpersonal communication and alternatives to using physical force to pursue a peaceful incident resolution (SB 230).

#3: WARNING BEFORE SHOOTING

SPPD Policy #300.4 requires officers to identify themselves and provide warnings, when feasible, prior to the application of any use of force.

#4: EXHAUST ALL ALTERNATIVES BEFORE SHOOTING

SPPD Policy #300.3 requires that officers carefully evaluate situations and, based on training received, use only the amount of force reasonably necessary to resolve a law enforcement issue or dangerous situation.







#5: DUTY TO INTERVENE

SPPD Policy #300.2.1 states that an officer has a duty to intercede if he/she observes another officer using force that is unreasonable for the circumstances at hand.

#6: BAN SHOOTING AT MOVING VEHICLES

SPPD Policy #300.4.1 discourages shooting at moving vehicles in an attempt to disable them and recommends that officers move out of the path of any approaching vehicles; it acknowledges the need of such actions only under extreme circumstances where a driver poses a deadly threat.

#7: USE OF FORCE CONTINUUM

SPPD Policy #300.1 and #300.2 provides guidelines on reasonable use of force and requires officers to make such decisions in a professional, impartial and reasonable manner given the facts and totality of the circumstances.

#8: COMPREHENSIVE REPORTING

SPPD Policy 300.5 outlines a process so that every use of force is thoroughly documented and reviewed by several levels from the Watch Commander to the Chief of Police. Such reports are reviewed by a committee, consisting of officers who have expertise in tactics and use of force. The review is weighed on legal justification, policy and case law. The review is then sent to the Commander who will review and pass it to the Chief for a final review. These reports are also reviewed yearly by a committee to see if changes are needed in the department. Any violations of policy or law are investigated by an internal affairs process. All serious violations or conflicts with personnel are referred to an outside investigation agency to ensure the investigation is unbiased and the integrity of the investigation is maintained, or to the District Attorney's office if it is crime related.

Use of Force Statistics

In 2019, SPPD responded to 24,687 calls for service. Of these calls, there were 13 reportable uses of force: 6 Physical, 4 Taser, 2 Canine, 1 40mm Sponge Round. Less than 1% of calls required Use of Force (0.52 per 1,000 people).

For more information on SPPD's policies, visit SPCity.org/220/Police

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