

**City of Carpinteria  
City Council Minutes  
Regular Meeting  
Council Chambers  
Monday, April 11, 2011**

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**CALL TO ORDER**

The meeting was called to order at 4:41 p.m. by Mayor Al Clark.

All Councilmembers were present with the exception of Kathleen Reddington

**TEMPORARY ADJOURNMENT TO CLOSED SESSION**

The City Council adjourned temporarily to a Closed Session to consider the following:

a. Conference with Labor Negotiator – Government Code Section 54957.6

City Negotiators:

David Durflinger, City Manager  
Arlene Balmadrid, Human Resources Director  
Lauren Liebes, Attorney

Employee Organization:

Service Employees International Union (SEIU) Local 620

b. Conference with Labor Negotiator – Government Code Section 54957.6

City Designated Representative: Mayor

Unrepresented Employee: City Manager David Durflinger

Councilmember Kathleen Redding arrived at 4:47 p.m.

**RECONVENE IN OPEN SESSION**

At 5:30 p.m. Mayor Clark stated that the City Council was reconvening from a Closed Session.

No reportable action taken.

## **ROLL CALL**

### Councilmembers present:

Councilmember Carty  
Councilmember Reddington  
Councilmember Armendariz  
Vice Mayor Stein  
Mayor Clark

### Staff members present:

Dave Durlinger, City Manager  
Alexandra Barnhill, Deputy City Attorney  
Fidela Garcia, City Clerk  
Kevin Silk, Assistant to the City Manager  
Jackie Campbell, Community Development Director  
Shanna R. Farley, Assistant Planner  
John Thornberry, Administrative Services Director  
Kelly Moore, Chief Lieutenant  
Arlene Balmadrid, Human Resource/Risk Management Administrator

## **PLEDGE OF ALLEGIANCE**

All present were led in the salute to the flag by Mayor Clark.

## **INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS**

1. Proclamation Designating the Week of April 17-23, 2011, as "California Native Plant Week."

Mayor Clark presented a proclamation to Steve Windhager, Director of the Santa Barbara Botanic Garden, designating the week of April 17-23, 2011, as "California Native Plant Week". Mr. Windhager stated that the Botanic Garden was proud to support the First Annual California Native Plant Week which coincided with Earth Day. He noted that their mission at the garden was to foster the conservation of California's native plants. He invited the City Council, staff, and the community to attend their third annual public meeting to discuss the garden's upcoming Strategic Plan on May 17 at the Natural History Museum. He encouraged everyone to visit their website at [www.sbbg.org](http://www.sbbg.org) for additional information and to attend the garden which is open daily from 9:00 a.m. to 6:00 p.m.

2. Proclamation Honoring and Commending Ruthie Tremmel, Director of Girls Incorporated on her Retirement.

Mayor Clark presented a proclamation honoring and commending Ruthie Tremmel, Director of Girls Incorporated, on her retirement. Ms. Tremmel thanked the City Council and the community for the support given to Girls Incorporated.

3. Presentation of the City's Spring 2011 Outstanding Business Partner Award to Giannfranco's Trattoria.

Assistant to the City Manager Kevin Silk stated that the City's Outstanding Business Partner Award recognizes local businesses for giving back to the community such as making contributions to local schools and donations to nonprofit organizations that support community causes. He noted that since the program began in 1997 the City had honored 40 businesses. He also noted that some of the benevolent efforts of Giannfranco Trattoria included hosting two employee health care fund related events, contributions to AYSO, Boys and Girls Club, Girls Inc., the Holiday Inn Express Employee of the Year Recognition, Tummel Park, American Cancer Society, local families in times of need, and tsunami victims. Mayor Clark presented a framed certificate to Mr. and Mrs. Giannfranco and Chef Giovanni. Franco and Anna Sherwyn thanked the City Council for the recognition and stated that Carpinteria was an exceptional community. Chef Giovanni stated that it was overwhelming to be recognized by the City.

## **PUBLIC INFORMATION REPORTS AND ANNOUNCEMENTS**

Mayor Clark congratulated Deputy City Attorney Alexandra Barnhill on her recent promotion. Ms. Barnhill thanked the Mayor and noted that she was elevated to Assistant City Attorney. She stated that it was an honor to work for the City and that she appreciated the distinction.

## **CITY MANAGER'S REPORT**

- Don't Panic, Prepare Emergency Preparedness Workshop at the Carpinteria Children's Project at Main School on April 26 at 6:00 p.m.
- City's Environmental Review Committee meeting on April 21 at 4:00 p.m. in the Council Chambers to review the Carpinteria Art Center environmental document and to review the Albertson's Store expansion project environmental documents.
- State of the Community Breakfast Meeting hosted by the Chamber of Commerce on April 21 from 7:30 a.m. to 9:00 a.m. at Rincon Catering. Mayor Clark will be speaking as well as First District County Supervisor Salud Carbajal.

## **PRESENTATIONS BY CITIZENS/PUBLIC COMMENT**

Trish Stone-Damen expressed her concern with the spraying of the pesticide 24D on the grass of Linden Field adjacent to the new Tummel Children's Park. She stated that children were playing at the park while it was still wet and departed when a concerned citizen informed them of the danger. She also stated that although there were signs

posted they were 100 feet or more apart, they were inadequate, and they did not provide the name of the herbicide or the notice and re-entry period. She noted that in January 2010 the City adopted the Stormwater Management Plan and that the City was compelled by the Clean Water Act to protect and restore the physical, chemical, and biological integrity of the nation's waterways by controlling and limiting discharge of pollutants to the waterways. She urged the City Council to place the issue of an Integrated Pest Management (IPM) Committee by the City of Carpinteria on the next agenda so that the public would be apprised of current practices and be able to assess and make decisions before taking their children, pets, and families to city parks, open spaces, and the ocean.

George Green, Senior Field Representative for SEIU Local 620 stated that SEIU represented a number of City employees who were currently in negotiations. He noted that they entered negotiations a few weeks ago and that he believed it was poor form for the union to appear at a City Council meeting and speak under public comment regarding ongoing negotiations at any time short of an impasse. He stated the projected budget deficit did not take into account the information from the last three Comprehensive Annual Financial Reports where the City Council consistently overestimated expenditures and underestimated revenues. He also stated that a projected \$800,000 deficit in the City's proposed budget did not rise to an emergency for the people they represent. He further stated that the City had \$7.8 million in projected expenditures and over \$5 million in reserves and that the City had over 70 percent of its General Fund budget in unencumbered reserves and fund balance. He expressed that he believed the City had issues with the Memorandum of Understanding with how the City provides police services to the community. He stated that having 70 percent in unencumbered reserves and asking the City's lowest paid employees to take concessions was not a good way to begin negotiations.

Thetis Sammons, resident of Santa Barbara County who works in the agriculture sector, stated that she was present to address the spraying of herbicides at Linden Field. She noted that she also spoke to the school board when they intended to spray glycoside and surflan on the school grounds during spring break. She stated that there were several parents who spoke and presented research to the school board; however, the school went forward with the spraying. She noted that in the past 20 to 30 years the application of products was considered safe; however, there were two sides to the issue that had developed globally. She stated that 24D was a nasty chemical and that she believed the methods used by the contractor to apply the herbicides puts the City and residents at risk. She suggested that the City consider safety and OSHA regulations for anyone who works with these chemicals as people have found that most farmers and applicators that have been in this industry for a long time have the chance of bio-accumulation, health affects, and diseases. She suggested that the farmworker community could file workers compensation claims because they were informed that the chemicals were safe.

Pat Kistler, Carpinteria Valley Chamber of Commerce, announced that the Chamber would hold a Lunch and Learn on April 15 at the Curious Cup Bookstore where the subject would be Hording and how to understand how this occurs. She also announced that they would be holding the State of the Community on April 26 and she thanked Mayor Clark for his participation. She expressed that the Chamber was also very proud of Ruthie Tremmel and Giannfranco Trattoria.

Miguel Checa stated that he supported the comments made by the two women regarding pesticides. He encouraged anyone who plays in the parks, especially young children, to persuade the City Council to act as soon as possible. He stated that the pesticides biochemically eat at the biology and that the City Council should not only make Carpinteria the safest beach but also the safest town on the coast.

Katie Roberts thanked the City Council for recognizing California Native Plant Week. She stated that Carpinteria was in the forefront because for many years there have been groups and individuals who have been promoting the planting of native plants, and one reason was that there is no need to use any pesticides because generally these native plants already have integrated pesticides management. She noted that seven years ago the Citizens for the Bluffs decided to encourage the youth to understand how native plants work by incorporating this into the Earth Day Celebration. She stated that third graders are taken to the bluffs for Earth Day for a variety of activities that focus on scientific, historical, language arts, and creative arts curriculum recognized by the State of California, and that one activity is planting native trees and plants. She noted that over 20 years ago Carpinteria Beautiful started a program of distributing free poppy seeds for local people to plant and that S&S Seeds has been providing those seeds. She also noted that the Carpinteria Creeks Committee spent several years eradicating invasive plants from Carpinteria Creek and other creeks. She noted that the docents at the Marsh Park lead a tour every Saturday of the native plants, and that the City of Carpinteria was very good about planting native plants in its parks and public open spaces.

Brandon Morse stated that he and his wife recently moved back to the area. He also stated that his wife grew up in the area and he was pleased to raise his son in the area as well. He noted that previously he was involved in local governance in the State of California and Hawaii where he worked in cities, counties, state, and federal levels including Senator Feinstein's office and Senator Daniel Akaka's office from Hawaii. He noted that he was currently attending law school and he congratulated Assistant City Attorney Alexandra Barnhill on her promotion. He stated that he was confused regarding the representation in the City and that he felt the best way to alleviate his questions would be to come before the City Council. He also stated that most of the cities he had been involved with were districted. He stated that he realized the City was a small community being a little over two square miles and that the idea of not having a specific representative was new to him. He expressed that he had some ideas and productive things to share. Mayor Clark responded that he could speak to any of the five Councilmembers and that if he had specific questions he should feel free to contact him.

Mr. Morse stated that his main focus was working with at-risk youth and working with the homeless community.

Councilmember Reddington thanked Mr. Morse for coming to address the City Council and stated that she hoped they could work together in the future. She commented regarding the application of 24D and stated that it was clumsy, should be investigated, and should be placed on the agenda to see why this occurred, who was the contractor, and see whether all of the City's contractors were this clumsy. She noted that the City was under certain mandates such as the Clean Water Act and stormwater management. She thanked Trish Stone-Damen, Thetis Sammons, and Miguel Checa for coming to address this issue. She expressed her hope that the City Council would take the initiative to create an IPM Advisory Committee and work on this as soon as possible.

**AGENDA MODIFICATIONS: None**

#### **CONSENT CALENDAR**

Motion by Vice Mayor Stein, seconded by Councilmember Armendariz, to approve the Consent Calendar.

A voice vote was taken and the motion carried unanimously.

4. Minutes of the regular meeting held March 14, 2011.
5. Expenditures for the period ending April 6, 2011.

**ADMINISTRATIVE MATTERS: None**

**PUBLIC HEARINGS: None**

#### **OTHER BUSINESS:**

6. Consideration of Community Development Block Grant (CDBG) Public Services Grant Applications and Allocation of Program Funds (**Continued from 3/28/11, Agenda Item No. 11**)

Recommendation: Approve the allocation of funding in the amounts recommended by the Community Development Block Grant (CDBG) Committee as stated in the staff report.

Shanna R. Farley, Assistant Planner, presented the staff report and PowerPoint presentation.

Ray McDonald, Executive Director of Workforce Investment Board, stated that his organization was one of the applicants not recommended for funding; however, he was not present to complain. He stated that he was present to introduce himself as he was new to the community and that although the Workforce Investment Board did not have a current track record in the City they would move forward with plans to serve Carpinteria. He also stated that they would be working out of the Carpinteria Children's Project at Main and that they invested over \$111,000 for a program to provide services to young people for career counseling, information on career choices, and computer lab services. He also stated that they would apply again next year and they hoped to have a small investment from the City to help their program move forward.

Rochelle Rose, Development Director of Peoples Self Help Housing and Manager of youth education programs that Peoples Self Help operates after school, thanked the CDBG Committee, City staff, and the City Council for recommending funding for housing the homeless program and after school youth education. She invited the City Council to visit their after school youth education program at Dahlia Court and at Chapel Court.

David Bleaker, Carpinteria Boys and Girls Club, stated that he directs the licensed children's program. He noted that they provide an opportunity from kindergarten to adult and that he has had coaches who went through the program. He also noted that in the last two years they have doubled enrollment and doubled the need for financial assistance. He expressed his appreciation to the City Council for their consideration.

Breanna Milum, Para-educator for Youth Education Enhancement Program, stated that the parents and the children call the program La Escuelita. She also stated that they work on improving student literacy, English skills, and math skills, and that the program allows students the opportunity to go on field trips, homework assistance, cultural arts activities, social sciences, nutrition, and physical education. She thanked the City Council for their consideration.

Kristin Tibolt, social worker in support of Housing Program for Peoples Self Help Housing for Housing the Homeless, stated that the program provides clinical case management to tenants of their properties. She noted that they would be unable to provide the quality of service without support from CDBG and that they appreciated the recommendation. She also noted that they were involved in efforts to house the homeless and that often their clients struggle with issues of substance abuse, emotional illness, mental illness, and financial struggles. She stated that in order to have stable housing their clients needed programs such as this where they could work with them in developing employment skills, budgeting, hygiene, and developing their social network.

Esme Nunez, Marriage Family Therapist Intern, spoke in support of Peoples Self Help Housing and stated that their mission was to provide affordable housing that is self sufficient for the residents. She thanked the City Council for their consideration on behalf of residents and organizations. She stated that this grant would help them to

continue to transition families to affordable housing. She also stated that this program was dear to her because her parents were farmworkers and she grew up in a small trailer. She also stated that she understood the importance for families to have permanent affordable housing and that the grant would assist them to help prevent families from entering into homelessness.

Motion by Vice Mayor Stein, seconded by Councilmember Carty, to approve the allocation of funding in the amounts recommended by the Community Development Block Grant (CDBG) Committee.

Mayor Clark asked staff to extend his appreciation to the CDBG Committee for their efforts.

A voice vote was taken and the motion carried unanimously.

7. HOME Consortium of Santa Barbara County and the Community Development Block Grant (CDBG) Entitlement Funds to Peoples' Self-Help Housing Corporation's Dahlia Court Expansion Project at 1300 Dahlia Court

Recommendation: Reserve \$76,000 of HOME and \$125,000 of CDBG Funds for the Dahlia Court Expansion Project.

Jackie Campbell, Community Development Director, presented the staff report. She responded to a question regarding development of other affordable apartment units by stating that the Planning Commission approved the Casa de las Flores project which would replace the former campers on Via Real site.

Rochelle Rose, speaking on behalf of Executive Director Jeanette Duncan, stated that they appreciated the City Council's belief in Peoples Self Help Housing and that they look forward to putting 76 more units of affordable housing for all low-income people in Carpinteria. She noted that amenities would include community education centers with a classroom, computer lab, English as a Second Language classes, and financial literacy programs.

Brandon Morse stated that the homeless situation in the country and in the community was near and dear to him and that he applauded any action the City Council would take to help people obtain the skills they need to get off the streets and get into housing.

Motion by Vice Mayor Stein, seconded by Councilmember Carty, to approve that the HOME Consortium reserve \$76,000 from the City of Carpinteria for the Dahlia Court Expansion Project and reserve \$125,000 from the City of Carpinteria CDBG Funds for the Dahlia Court Expansion Project.

A voice vote was taken and the motion carried unanimously.

8. Review of Preliminary Fiscal Year 2011-12 Budget Information

Recommendation: Receive report.

City Manager Dave Durlinger and Administrative Services Director John Thornbury presented the staff report and PowerPoint presentation.

City Manager reviewed the guiding principles for financial recovery strategies which was the framework that was developed with the budget committee to close the budget gap:

- Expenditure reductions will be made strategically rather than across the board, understanding that some services and departments could be impacted more than others.
- The City will seek to recover costs consistent with its cost recovery policies and will pursue changes to taxes where a strong nexus exists with service demand, e.g., transient occupancy tax, park maintenance tax. He responded to a question regarding whether there was any interest in an adopt-a-pool program where corporate citizens could put in money to offset the cost for providing this public benefit by stating that there was interest and that when the community pool was built there was an active group that raised money to construct the pool. He noted that Parks and Recreation Director Matt Roberts reconvened the group to look at opportunities for fundraising. He noted that these types of efforts were easier for capital projects rather than ongoing operating costs. Councilmember Reddington noted the idea for a tile wall was being resurrected for people to purchase for improvements and operating costs for the pool and she encouraged corporate donors.
- The City's limited resources will be directed to efficiently deliver services that meet the needs of the community and expectations and goals established by the City Council.
- Cost savings measures such as reducing hours worked, should be considered in order to preserve needed services.
- Service level changes should be sustainable over the long term.
- The City will invest in existing resources/assets prior to adding new assets.
- Management staff will engage employees as a part of the process of developing and implementing a strategy for financial recovery.
- Recurring revenue must be used to address recurring expenditures. With that said a modest use of reserves may continue to be used over the next 1-3 years in order to mitigate impacts to service levels and to allow time for revenue recovery. Reserves will not be used in lieu of making necessary adjustments to service levels and employee compensation that are determine to be necessary to achieve long term financial sustainability.

Administrative Services Director John Thornbury reviewed a chart with the history of the General Fund which included costs for medical, dental, life insurance; law enforcement,

parks management subsidy, property tax revenue, street maintenance subsidy, and retirement contribution. He also reviewed a chart of the General Fund which included historical information on income, expenditures, and all available fund balance levels.

City Manager Dave Durflinger spoke regarding State impacts to the City budget in relation to the elimination of redevelopment agencies and noted that the City of Carpinteria did not have a redevelopment agency and this would not directly affect the City. He stated that what could affect the City was the realignment of State responsibilities such as health and human services, courts, and incarceration program. He also stated that the City may need to pay for some of these through the contract law enforcement costs. He noted that tax extensions dealt with vehicle license fees, which included revenue for the COPS grant of which the City receives approximately \$100,000 annually that pays for law enforcement services. He also noted that a portion of the Community Resources Deputy position was funded by the COPS grant and if the vehicle license fee is eliminated or reduced based on the failure of the voters to approve that tax extension the COPS grant program could be jeopardized.

Administrative Services Director John Thornbury responded to a question regarding the interest earned on the reserve fund and whether the funds could be moved into different types of investments that might generate a different rate of return and liquidity by stating that this was something that the City could consider and that he would recommend investing in federal agencies such as Fannie Mae or Freddie Mac. He stated that these were just as safe as treasury notes but they give a higher return. He noted that they could not be purchased directly as the City would need to pay a broker in order to purchase these investments. He also noted that the City Council could consider increasing years of maturity to five years rather than two years in order to obtain higher yields. He stated that 80 percent of the reserves were invested in two and five year treasury notes that were currently yielding approximately 2.5% annually which generates about \$200,000 annually.

Councilmember Armendariz inquired whether the Finance Committee had considered moving the \$1 million in the Parks fund so that the interest earned could be used for the upcoming fiscal year for a non-park related expense. He suggested that it could be worth discussing to place these monies in a more productive use for the next two fiscal years. Vice Mayor Stein responded that the Finance Committee did consider this; however, they chose not to pursue this option. He noted that the interest received from the Parks money goes to youth programming. He stated that the cost for park maintenance was challenging; however, investing in anything safe to increase the \$200,000 interest received would be a great option.

Administrative Services Director John Thornbury noted that 20 percent of the reserves were deposited in an interest bearing account at Montecito Bank and Trust which is paying a better rate of return than Local Agency Investment Fund (LAIF). City Manager Dave Durflinger suggested that staff could bring an item back for the City Council to review investment options and policy.

Pat Kistler, Carpinteria Valley Chamber of Commerce, stated that many cities were facing this dilemma. She suggested the City Council consider the establishment of an endowment for a 501c3 to allow for corporate and citizen donations.

Councilmember Reddington suggested that the City Council consider making the transient occupancy tax more uniform with Santa Barbara and Goleta and consider an ozone pool in order to eliminate the use of chlorine at a savings of \$1,400 per month.

Received and filed.

The City Council recessed to a break at 7:40 p.m. and reconvened at 8:45 p.m.

#### 9. Law Enforcement Contract Changes and Renewal

Recommendation: Receive the report and authorize the City Manager to work with the Sheriff's Department on implementing the recommended changes to the law enforcement contract for services; and approve the five-year renewal of City contract for law enforcement services pursuant to the terms of the contract.

Dave Durlinger, City Manager, presented the staff report.

Chief Lieutenant Kelly Moore stated that he and Chief Banks met with the City Manager to discuss where they could make reduction of police services to the City of Carpinteria. He noted that the reduction of the Community Resource Deputy would mean that those services would no longer be handled by one person, services would be farmed out on an as-needed basis, and complaints would be farmed out to a uniformed Deputy. He stated that the reduction of a City Detective would mean the elimination of 15 percent of their capabilities. He noted that presently there were two full-time Detectives in the City who investigate approximately 150 cases per year, and that a reduction would reprioritization which crimes would be investigated and to what extent. He stated that currently the City had eight full-time Deputies assigned to the four squads and that a reduction in Patrol staff would mean one of those squads would only have one Deputy working and they would need to schedule around the peak periods in order to make this work. He noted that the Community Resource Deputy is billed to the City based upon the number of hours actually worked for the City. He also noted that the Senior Detective was considered a Senior Deputy with a cost of five percent more than the cost for a Patrol Deputy of approximately \$153,000. He responded to a question regarding whether the \$100,000 COPS grant was still available and if so where could it be used by stating that at the present time the grant was available until the State of California says otherwise and that the grant could be used for any front line of law enforcement. He further responded to question regarding to what extent these reductions undermine the public safety of the community by stating that the reductions would hurt public safety. He further responded to a question regarding whether the people of Carpinteria would be less safe should the City Council implement these changes by stating that he

did not know if the people would notice the difference; however, law enforcement was to prevent, assist, and go where people need them.

Councilmember Armendariz stated for the record that he would not support any changes to the contract

Chief Lieutenant Kelly Moore responded to a question regarding which was the most vital service that he would cut first by stating that if cuts were needed he would recommend this order: Community Resource Deputy, Detective, Patrol.

Motion by Vice Mayor Stein, seconded by Councilmember Carty, to adopt staff's recommendation and authorize the City Manager to work with the Sheriff's Department on implementing the recommended changes to the law enforcement contract for services; and approve the five-year renewal of City contract for law enforcement services pursuant to the terms of the contract.

Councilmember Carty inquired whether the City Council would consider not reducing Patrol and to possibly eliminate the Community Resource Deputy. He stated that he would like the City Manager to discuss this in his continued negotiations. City Manager Dave Durlinger responded that should the City Council approve staff's recommendation, staff would bring back Exhibit A1 staffing plan and the contract to change the staffing levels pursuant to the discussion held. He stated that should the City Council wish to provide alternative direction he would need the City Council's direction because they would be changing Exhibit A1 staffing plan and the staffing level was not negotiated. He noted that should the City Council only eliminate the Community Resource Deputy and City Detective they would save approximately \$300,000. He also noted that the City pays separate from the contract for augmentation cost and should the City Council choose to eliminate the summer augmentation unit there would be an additional \$35,000 savings.

Upon roll call vote, Councilmember Reddington, Vice Mayor Stein, Councilmember Carty, and Mayor Clark were in favor. Councilmember Armendariz was opposed. Motion carried.

#### 10. Amendment to Employment Agreement for City Manager

Recommendation: Approve seventh amendment to the City Manager's employment agreement and authorize implementation effective July 1, 2011.

Arlene Balmadrid, Human Resource/Risk Management Administrator, presented the staff report.

Motion by Vice Mayor Stein, seconded by Councilmember Reddington, to approve the seventh amendment to the City Manager's employment agreement and authorize implementation effective July 1, 2011.

A voice vote was taken and the motion carried unanimously.

**COMMITTEE REPORTS, INQUIRIES AND OTHER MATTERS PRESENTED BY COUNCILMEMBERS**

Councilmember Armendariz reported that he would be traveling to Sacramento with Jim Kemp from the Santa Barbara Council of Governments and the Central Coast Coalition to Sacramento to visit with Assemblyman Williams, Senator Strickland, and Senator Blakesly to discuss the desperate need of funding to widen and modernize Highway 101.

**ADJOURNMENT**

The meeting was adjourned at 8:45 p.m. by Mayor Clark in honor of public transportation.

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Al Clark, Mayor

ATTEST:

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Fidela Garcia, CMC  
City Clerk