

**City of Carpinteria  
City Council Minutes  
Regular Meeting  
Council Chambers  
Monday, August 8, 2011**

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**ROLL CALL**

The meeting was called to order at 5:30 p.m. by Mayor Al Clark.

Councilmembers present:

Councilmember Carty  
Councilmember Reddington  
Councilmember Armendariz (absent)  
Vice Mayor Stein  
Mayor Clark

Staff members present:

Dave Durlinger, City Manager  
Peter Brown, City Attorney  
Fidela Garcia, City Clerk  
Jackie Campbell, Community Development Director  
Steve Goggia, Senior Planner  
Charles Ebeling, Public Works Director/City Engineer

**PLEDGE OF ALLEGIANCE**

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

**INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS**

Mayor Clark stated that he would adjourn the meeting in honor of Tom Lewis, former Mayor of Carpinteria, who recently passed away.

**PUBLIC INFORMATION REPORTS AND ANNOUNCEMENTS - None**

**CITY MANAGER'S REPORT - None**

**PRESENTATIONS BY CITIZENS/PUBLIC COMMENT**

Susan Allen stated that there were two items on the previous Board of Supervisors agenda and that she hoped the City Council would direct staff to work with the County on these issues. She noted that item one dealt with oil in the sand in Summerland due to an improperly abandoned well and the removal of abandoned pipelines infrastructure. She mentioned that Carpinteria had an abandoned well between the pier and Rincon Park and that she had photographs that she could share. She also mentioned that

there was a possibility of available funds to help mitigate these issues. She noted that the second issue was a moratorium on fracking due to some events with Venoco in the North County. She stated that 70 percent of the voters in Carpinteria voted against Measure J which would have allowed drilling in Carpinteria. She expressed her desire that the City Council direct staff to work with the County on both of these issues.

#### **AGENDA MODIFICATIONS - None**

#### **CONSENT CALENDAR**

Motion by Vice Mayor Stein, seconded by Councilmember Carty, to adopt the Consent Calendar as presented.

A voice vote was taken and the motion carried unanimously with Councilmember Armendariz absent.

1. Minutes of the Regular Meeting Held July 25, 2011
2. Expenditures for the Period Ending August 3, 2011
3. Quarterly Investment Results and Certifications Concerning Compliance with Investment Policy and Cash Flow Needs for the Next Six Months

#### **ADMINISTRATIVE MATTERS - None**

#### **PUBLIC HEARINGS:**

4. Request for Waiver or Adjustment of Development Impact Fees for the Carpinteria Arts Center Located at 855 Linden Avenue **(Cont. from 7/25/11, Agenda Item No. 5)**

Recommendation: a) Open the public hearing and take public comment; and b) Grant an adjustment to the three applicable Transportation-related DIFs, pursuant to CMC §15.80.100.

Mayor Clark and Vice Mayor Stein recused themselves from this item due to a perceived conflict of interest. They stepped down from the dais and exited the Council Chambers.

City Attorney Peter Brown stated that the two seated Councilmembers and Councilmember Armendariz heard this item at the previous Council meeting. He noted that Councilmember Armendariz was absent from this meeting which left less than a quorum and the City Council could not take action without a majority of the quorum. He stated that the appropriate step would be to continue this item until the next scheduled hearing on August 22, and that the appropriate action would be for him and the City

Manager to declare a continuance to the August 22 meeting. Acting Mayor Carty and Councilmember Reddington concurred.

Mayor Clark and Vice Mayor Stein returned to the Council Chambers and took their seats at the dais.

5. Albertsons Grocery Store Expansion Project and Casitas Plaza Remodel; Request of Albertsons, Inc., Representative Kent Heasley to Expand the Existing Grocery Store at Casitas Plaza Into an Adjacent Vacant Retail Space of 21,440 Square Feet and to Remodel the Existing Shopping Center, Increasing the Floor Area of Albertsons From 20,062 Square Feet to 40,290 Square Feet; Case No. 10-1547-CUP/DPR/CDP

Recommendation: Adopt Resolution No. 5331 to approve Project Number 10-1547-CUP/DPR/CDP to allow the expansion of Albertsons grocery store and upgrades to the Casitas Plaza Shopping Center with the amendment to pages 9-27 of the Final EIR as presented in the staff report.

Steve Goggia, Senior Planner, presented the staff report and PowerPoint presentation.

Councilmember Reddington noted an addition to Condition No. 37 to include local organic farms between produce growers and fisheries. Councilmember Carty mentioned that the IHOP Restaurant only had one handicapped parking stall.

The City Councilmembers declared no ex parte communications.

Kent Heasley, representing Albertson's Boise, Idaho, expressed his excitement to have the expansion of Albertsons move forward. He noted that they were planning on revitalizing the entire shopping center, upgrading the architecture, and installing more landscaping. He explained that hyper-local is a term used for local and organic products and a larger building would allow them the opportunity accommodate this. He noted that they were approached by the pharmacy owner to bid on the pharmacy; that they were the successful bidder; and that they hoped to fold the pharmacy into the expanded building to provide a one-stop shop for pharmacy and food products. He stated that signage was an issue because the building is 450 feet away from the sidewalk and 475 feet away from the street. He further stated that they believed the signage would be very critical on Casitas Pass because they want people to know where the store is located when coming off the freeway.

Ahmed Jahadhmy, Manager of Albertsons Store, noted that Albertsons was hyper-local and carried many local produce, fish, foods, and wines in the store. He stated that this was very profitable and a great sales point for the customers, and that a larger store would allow them to provide a variety of local products to the customers.

Carl Barnett, former owner of Shepard's Pharmacy, noted that the pharmacy catered to the local community and provided the items that they choose or that their doctors recommend for such items as treatment of shingles, special topical antihistamine and germicides, and special skin care products for post operative patients. He stated that they strive to keep business in Carpinteria.

Mr. Jahadhmy stated that he wanted it to be publicly known that City staff has been very fair with them throughout this process.

Michael Nordware, owner of United Signs Systems, addressed the signage visibility and the need to have a certain type of sign on Casitas Pass. He stated that presently there were two signs at the shopping center, the IHOP and the Chase monument sign, and that each of these signs was as large as the proposed Albertsons signage. He noted that the building was 450 feet from the sidewalk and that the building was obscured from the main traffic corridor. He stated that they were proposing to install more greenery in the parking lot. He also stated that he believed that having signage at the driveway cut would be appropriate in order to serve Albertsons and CVS well for visibility. He commented that he believed it was a disservice to the anchor stores by not allowing them to have visible signs.

Greg Reich, architect for the property owner, noted that there was currently a sign reading Casitas Plaza and suggested that it was not necessary to have a sign identifying the plaza because it was more important to know which stores are in the plaza. He noted that there was a building that had a sign on its tower indicating Casitas Plaza and that that the property owner was agreeable to not have Casitas Plaza on the sign. He spoke regarding the proposed landscape plan which would include lighting along the pedestrian pathway, benches, and a brick path starting from Casitas Pass Road meeting up to the crosswalk. He noted that staff's recommendation was to require 423 parking spaces at Casitas Plaza and he asked that 420 spaces be required because the Santa Barbara Bank and Trust and the Starbucks were putting a burden on the plaza. He stated that the shopping center has never been congested as far as parking was concerned.

City Attorney Peter Brown noted that a letter dated August 1, 2011, was received from Vons and that he would respond to some of the issues raised after public testimony.

Harry Manuras expressed his support for this project. He stated that the residents of this City have a City Manager, staff, and City Council who work hard to provide the community with things that improve their quality of life, and he thanked them for their efforts. He noted that the applicants had waited two years for this process to make the improvements to the shopping center, but that some people have waited 40 years and it is a long time coming. He stated that the community deserved to have a choice and that was what this project would provide, and that it would go a long way to improve the City.

Greg Fehr, proprietor of Do-It Right Hardware Store in the Casitas Plaza, spoke in support of the project. He stated that the project would bring economic activity into the City and that when he became aware of the fact that this project was coming it convinced him to open the hardware store in this plaza. He also spoke in support of the sign to include the names of Albertsons and CVS.

Councilmember Carty inquired what would occur if other tenants want to have their store name on the sign. Senior Planner Steve Goggia responded that this could be considered for the freeway sign; however, he believed that for aesthetics if they were to begin to have a sign with store names running down the sign that it might not work well and they might approach the limit in square footage which is based on the amount of storefront.

Donna Jordan expressed that due to the bold action that the City Council took 12 years ago that the community enjoyed the benefit of having two supermarkets. She stated that with the approval of this expansion Carpinteria shoppers and the environment would benefit more. She noted that Albertsons promised to go the extra mile by employing the latest green design and green practices and that it had already instituted a ban on single use plastic bags. She expressed her complete support for the project and that she hoped the City Council would move forward with this project.

Michael Roberts expressed his appreciation to Vons and Albertsons for allowing him to do his fundraising in front of the stores. He stated that he was excited with the Albertsons plan to be a prototype green store. He noted that while visiting the Santa Barbara location a few months ago that the security person spoke to him about the technologies that were going to be put in the store which would include zero waste and reduction of Freon and refrigerants in the stores. He stated that Carpinteria was fortunate to be the recipient of this upgrade.

City Attorney Peter Brown noted that Fred Gaines, attorney for Vons, brought forth several issues regarding the proposed project. He stated that Mr. Gaines indicated that Vons had been in the same process earlier for the same site; however, they terminated their negotiations and ended up improving their existing store on Linden. He further stated that the letter asserted that the City should give Albertsons the same treatment that Vons received. He commented that the City of Carpinteria had no independent knowledge or involvement in any of Vons negotiations with the shopping center owner or knowledge of the reason why those negotiations were terminated. He noted that the fact was that Vons abandoned their efforts to expand in this shopping center prior to the City taking final action on the City's permanent ordinance. He stated that the permanent ordinance placed restrictions on the development of larger stores in the sense that a conditional use permit would need to be granted and special findings would need to be made, and that this was the scenario under which Albertsons had moved forward. He further stated that if Vons would have moved forward that the same rules would have applied to them. He commented that staff did not believe there was any disparate treatment between Vons and Albertsons. He noted that the second issue raised by the

letter asserted that the study with the project complying with the zoning ordinance should have been part of the environmental review. He stated that staff looked at this issue and they did not believe this was the case because the California Environmental Quality Act (CEQA) does not recognize or require an analysis of a project's consistency with the zoning ordinance. He noted that the letter also asserted that the distribution of sales within the City would be negatively affected by approval of the Albertsons store and that the long term health of Carpinteria's downtown in the Linden corridor would suffer. He stated that when the City conducted its environmental review it hired an independent consultant to review all the economic reports that had been provided to the City to provide an opinion to the City Council. He stated that the independent consultant concluded that the economic health in the downtown would not suffer, and that in fact the City's economy would be enhanced overall by capturing sales that were currently going out of the City because of a lack of adequate available grocery services. He noted that the letter also asserted that the City's parking analysis for the project was inadequate and that not enough information was provided regarding existing parking, parking demand, and proposed parking. He stated that the current staff report presented adequate evidence to give the City Council enough information regarding parking in order to be able to make a determination. He noted that staff concluded there would be adequate parking even in peak periods for this project to move forward. He stated that there was some discussion on the monument sign and noted that the current ordinance indicated that monument signs were discouraged; however, the ordinance does not outlaw monuments signs in the City. He further stated that staff made a recommendation regarding the monument sign and that the applicant offered a different recommendation. He commented that the same was true for the height of the tower. He stated that the letter from Vons indicated that a 35-foot height would not be allowed under this circumstance; however, that was not the case. He noted that the tower was an architectural feature and the Architectural Review Board had looked at it extensively. He stated that staff had made a recommendation to the City Council; there was adequate record for the City Council to approve the height; and the same was true for modification of the landscaping.

Councilmember Reddington stated that currently a project with this square footage required 10 percent landscaping; however, this project would have 5.86 percent landscaping. She also stated that it was her understanding that the entire parking lot would not be entirely redone, but that it would be modified and upgraded. She expressed her concern that presently during wet seasons the drainage is less than desirable. She noted that there would be no permeable islands with trees and she asked staff to explain innovations regarding stormwater runoff and how the parking lot would be upgraded to accommodate that, how many trees would they be losing, how many new trees would be installed, and whether the large fir trees would be removed. Senior Planner Steve Goggia responded that he spoke to the applicant regarding the planters in the parking lot to allow the water in and that he was aware that the applicant believed that the proposed drainage insert system to filter out the oils will be adequate. He stated that all of the stormwater systems that were currently in the plaza would be upgraded and that currently there were no filter inserts that allow the water to make its

way offsite to Carpinteria Creek. He noted that there were four or five key collection areas where the inserts would be installed and that the inserts would need to be regularly maintained at least twice a year. He also noted that there was a requirement that the parking lot also be cleaned twice a year. He stated that during the Planning Commission meeting it was brought up that what was thought to be storm drains that were constantly filled with water were not actually drains for the parking lot to remove water offsite, but rather these were outlets for the roof drains. He also stated that the Planning Commission asked that the grading plan be reviewed and that drains be modified so that they would not collect standing water. He commented that as far as the trees he was aware they would be gaining a number of magnolia trees with this plan.

Martha Degasis, Landscape Architect from Arcadia Studio, spoke regarding the plan to remove two Canary Island pine trees. She stated that the parking islands configurations would be reduced in some cases. She noted that an arborist from Bartlett Tree Services provided an opinion on whether the pine trees could survive the changed planter area and stated that his opinion was that the root damage would endanger the health of the trees causing a hazard. She mentioned that the applicant would plant more magnolia trees, Australian willow along the drive aisles, and palm trees along the pedestrian way and along Casitas Pass. Councilmember Reddington inquired whether anything could be done to save the two pine trees. Ms. Degasis responded that she was uncertain because they would need to reconfigure the parking and the theme of the pedestrian walkway would be jeopardized.

Councilmember Carty commented that the landscaping plan was very nice and that they would also have many potted plants. He inquired regarding the types of plants that were proposed for the planters. Ms. Degasis responded that they would include succulents, drought tolerant flowering shrubs, trailing ground cover type plants, ivy geranium, and kangaroo palm,

Vice Mayor Stein inquired whether Arcadia Studio was hired by Albertsons or the property owner. Ms. Degasis responded that they were hired by the property owner. Vice Mayor Stein stated that the landscaping had deteriorated over the years and that he was concerned that the new landscaping might not be maintained. He further stated that he wanted staff to ensure that the new landscaping is maintained. Senior Planner Steve Goggia noted that there would be a condition regarding maintenance of the landscaping.

Bob Flowers, Civil Engineer, noted that there was currently a problem with drainage and water quality. He stated that they met early on with staff and addressed these issues and looked at the possibility of onsite percolation. He further stated that they found that because of creek deposits the subsurface was very layered under the paving and that initially it was not placed on rock base. He further stated that they determined that introduction of percolation into the shallower areas of the subsurface would not be consistent and that they would end up with water in the paving which would cause further degradation. He noted that they came up with filtration of the existing inlets and

that the existing “bubble-ups” would need to be removed because the ordinance requires some detention for small storms. He commented that the water quality aspect was capturing roof water which would go to the subsurface and the remainder of the water would surface to filtered inlets. Councilmember Reddington stated that she did not find anything in the plans on how stormwater, runoff, percolation, or permeable pavement would be handled. Mr. Flowers responded that they looked into permeable paving as being one of the common methods of water quality and detention and that the subsoil would not be a readily accepted method. He stated that this was the reason for the concept of installing filters in the inlets where all of the stormwater runoff would pass through prior to getting into the drain system and into the creek. He also stated that as far as the subsurface and the piping that none of these were shown on the plans at this point because they needed to work with staff; however, these would be included in the final plans.

Councilmember Reddington inquired whether the Public Works Department would maintain the inlets, which would monitor the maintenance, and who would be contacted when puddles and grease are found on the parking lot. Mr. Flowers referred to the drawing with the inlets and noted that the maintenance program would be the burden of the shopping center and would not be done at City expense.

Charlie Ebeling, City Engineer, introduced Steve Orosz, Public Works Department Contract Land Development Engineer in charge of this project, and Erin Maker, Environmental Coordinator, who could address stormwater management program, monitoring, and enforcement.

Steve Orosz stated that staff looked at the idea of permeable paving and that when the soils report came back indicating that it did not drain they determined that this would not be an option. He noted that there were many Best Management Practices that deal with drainage issues. He also noted that they were aware of the issues; that they were aware of the location of the drainage facilities; that they were aware of what could be used to address the filtration and ponding; and that it would be up to the applicant's engineer to demonstrate that the drainage systems work before the City issues a permit.

City Attorney Peter Brown noted that not only was Albertsons an applicant but that the shopping center owner was also an applicant. He stated that the conditions that bind Albertsons were also relevant and binding to the shopping center. He further stated that if there is a violation of conditions the City can perform zoning and enforcement to make sure the conditions are fulfilled.

Mayor Clark noted that the applicant had not yet approved Condition No. 37. He inquired whether the City would have any monitoring capabilities regarding this condition. Senior Planner Steve Goggia responded that the City Council could ask the applicant to approve Condition No. 37 for the record because it did not include a “shall” condition. He stated that staff did not believe it was appropriate to include monitoring

and to have staff walk inside the supermarket to ensure that there are a certain percentage of local products. He noted that Mr. Jahadhmy expressed agreement to following this condition. Mayor Carty inquired whether the language could be changed to "will" or "shall." Mr. Goggia recommended keeping that language as "should."

Mr. Heasly and Mr. Jahadhmy agreed that they intend to stock hyper-local products at Albertsons.

Vice Mayor Stein expressed his concern with the 35-foot height of the proposed freeway sign. He stated that he agreed with installation of the monument sign; however, he inquired whether it could be lowered a few feet. He further stated that overall the signage issue was not a killer point on this deal and that most everyone in town supported the project. He expressed his support for the project and stated that if the sign issue was a stopping point that he could not go along with that and he would support the project as presented.

Councilmember Carty noted that all of his concerns were addressed. He expressed concern that the freeway tower sign would not be visible from the freeway and stated that he agreed that a 10'3" monument sign would be better than the 12'3" monument sign. He also stated that the project would be a benefit for the community and that he was pleased with the project.

Councilmember Reddington stated that she and many people shop at Whole Foods and Lazy Acres which caters to more organic foods and they do not have monument signs. She indicated that she did not support either sign and that she believed the signs do not fit the General Plan. She stated that she does not like to shop where there are monument signs and that she believed they would be creating a big box store with this expansion no matter how creative. She further stated that she wanted to keep the pine trees. She indicated that she would support Alternative No. 3 to reduce the expansion to 30,000 square feet and stated that she believed that creating a 40,000 square foot store would not be appropriate for Carpinteria.

Mayor Clark expressed his support for the Albertsons expansion. He noted that he favored staff's opinion on the monument sign and that he also did not support the tower sign because it was very similar to a pole sign. He expressed that he supported the expansion but that he favored Alternative No. 3 to bring the expansion to 30,000 square feet because he believed that 40,000 square feet would be out of scale for the small town and inconsistent with General Plan Policy CD1. He noted that the City adopted the big box ordinance because the City only wanted two stores. He stated that this brings choice, eliminates a monopoly, and provides anchors to major commercial.

Mayor Clark closed the Public Hearing.

Councilmember Carty stated that since this was a large project for Carpinteria that he would prefer to have all five Councilmembers present. Councilmember Reddington

commented that this should have been addressed at the beginning of the meeting. Vice Mayor Stein stated that he agreed with Councilmember Carty because the Council was at a stalemate. Mayor Clark indicated that he had no problem continuing this item until the entire Council was present.

Vice Mayor Stein stated that he did not believe that a 40,000 square foot store would be creating a big box store. He noted that the project had gone through Planning Commission Review, Conceptual Review, the Architectural Review Board (ARB), and every step to come to this point. He stated that this was the first time he had heard anybody say that 30,000 square feet would be the sticking point. Mayor Clark noted that he expressed this concern originally when Vons was applying for an expansion. Councilmember Carty stated that he agreed with Vice Mayor Stein in that the project had already come to this point. He also stated that he believed the Councilmembers should have addressed this at a Planning Commission meeting or should have written a letter. Councilmember Reddington suggested that when reviewing large projects the City Council should meet jointly with the Planning Commission after ARB review.

Vice Mayor Stein noted that according to the January 10, 2010, minutes Councilmember Reddington only addressed an issue regarding bicycles and Mayor Clark addressed the 30,000 square feet expansion. Mayor Clark noted that even though he attended the Planning Commission meeting he did not speak because he did not want to prejudice his ability to vote on this item. Councilmember Carty noted that this project was to remodel an existing building and it was not to build a new structure.

Motion by Councilmember Carty, seconded by Vice Mayor Stein, to continue this item until they have all five Councilmembers present.

City Attorney Peter Brown recommended that the City Council continue the item to a date certain.

Motion by Councilmember Carty, seconded by Vice Mayor Stein, to amend the motion to continue this item to August 22, 2011.

A voice vote was taken and the motion carried with Councilmember Reddington dissenting and with Councilmember Armendariz absent.

#### **OTHER BUSINESS:**

6. Update on Litigation and Pending Legislation Regarding Banning of Single Use Plastic Bags

Recommendation: Direct staff to prepare a report on options related to the scope and content as well as the appropriate environmental clearance likely associated with an ordinance banning the distribution of single use carry-out plastic bags by retailers within the City.

City Manager Dave Durlinger presented the staff report.

City Attorney Peter Brown provided an update on the Manhattan Beach case in which the California Supreme Court ruled that because Manhattan Beach is a small city, its regulation of single use plastic bags would not have a significant impact. He stated that due to the ruling it appeared that small cities do not need to prepare an Environmental Impact Report (EIR). He recommended that the City Council give direction to staff to bring back options to ban single use plastic bags, ban all single use bags, ban all or some single use plastic bags for stores of a certain size, or ban plastic bags for only certain types of stores. He stated that there was intense interest in this throughout the State; that staff wanted to investigate what other people were doing; that he wanted to see the studies done by Manhattan Beach; and that staff wanted to conserve resources by using studies that others prepared to help prepare an analysis.

Ahmed Jahadhmy noted that sustainability programs were the way of the future. He noted that the change to using reusable bags had been very positive for Albertsons. He stated that they were able to change people's habits and that they gave away thousands of reusable bags. He noted that one would need to have the courage to do the right thing and that Carpinteria had always been in the forefront of the environmental movement. He stated that the truth was that this was the right thing to do.

Donna Jordan stated that Carpinteria Beautiful had followed this issue very closely for many years. She further stated that they understood that the City Council hesitated to moving forward on this issue due to the legal uncertainties and the expense of preparing an EIR. She noted that it appeared that the blockade had been removed and that in the meantime the people tried education, set a good example, handed free reusable bags, instituted a reward program, and supported Albertsons for its decision to go plastic bagless. She stated that people had willingly and permanently made the change to reusable bags. She asked the City Council to direct staff to bring back a model ordinance.

Jeffrey Sterns, Silver Sands Mobile Home Park, noted that he worked with Ms. Jordan in handing out reminder stickers at Albertsons and that they received a positive response. He noted that he also received a positive response in handing out stickers at Vons. He stated that an ordinance would allow the City Council to take leadership on this issue. He also stated that it was not a question of coercion but that it was something that could be a standard. He further stated that he believed this was similar to when public smoking was allowed and then there was a change.

Penny Owens, Education Coordinator with Santa Barbara Channel Keeper, applauded the City of Carpinteria in its efforts to promote reusable bags. She also commended the work of Carpinteria Beautiful for providing free reusable bags and educational materials. She stated that Channel Keeper had been encouraging the City of Santa Barbara to enact an ordinance that would ban plastic shopping bags and place a small fee on paper bags. She further stated that they would continue to work on this goal with Santa

Barbara and other municipalities. She commented that Carpinteria could be a leader on this issue, and that Channel Keeper would urge the City Council to support staff's recommendation to develop an ordinance and to consider a ban on plastic bags with a small fee for paper bags

Bill Hickman, Surfrider Foundation, commended staff on the update and acknowledged Ms. Owens from Channel Keeper. He expressed support for a plastic bag ban and implementation of a small fee on paper bags. He noted that it would not be a ban but rather a reusable bag ordinance that encourages people to bring their reusable bags because this would be the right thing to do. He asked that the ordinance cover as many stores as possible; that the City Council make it as strong an ordinance as possible; and that the City Council lead by example.

Kathy King thanked the City Council for staying on this issue because it could have a great impact countywide. She noted that the age of fossil fuels was coming to an end. She stated that people should not be squandering what is left of fossil fuels on items such as plastic bags that impact the environment negatively. She expressed her support for a ban on plastic bags and placement of a fee or tax on paper bags.

Andy Schraeder, representing Clean Seas Coalition, distributed a copy of an article from *Rolling Stone*. He commented that the world's oceans were in shocking decline and that the article indicated that the world was on the edge of a sixth rate extinction. He presented a display of Arroyo Creek of what was referred to as the Plaza Vista Garbage Patch. He stated that plastic Styrofoam and plastic bags debris float in the ocean and that these materials do not degrade but break up into smaller pieces. He also stated that algae were starting to attach to plastic which then affects the food chain. He noted that plastic bags were not free because the cost is imbedded in the merchandise. He also noted that many countries worldwide and many municipalities were banning plastic bags; that he has used his own reusable bags for 20 years; and that it was a matter of changing consumers' habits. He expressed his support for a plastic bag ban.

Kevin Kirkoff, representing Environment California, stated that his group had been going door to door for the past two months in Ventura, Santa Barbara, Ojai, and Carpinteria educating people about the issue of banning plastic grocery bags. He noted they received overwhelming support and he urged the City Council to ban single use plastic grocery bags. He expressed his desire that other cities would follow suit.

Motion by Councilmember Carty, seconded by Vice Mayor Stein, to direct staff to research the options on what it will take to have a full ban on all single use plastic bags in Carpinteria in all retailers.

The motion was approved by consensus.

Councilmember Carty inquired whether similar regulation was brought to the Santa Barbara City Council. City Attorney Peter Brown responded that a similar request was brought forth; however, the Santa Barbara City Council voted not to adopt a mandatory plastic bag ban. He noted that the City of Santa Barbara was continuing with education efforts and considering placing a measure on the 2013 ballot to impose a tax on single use bags. He stated that he believed there was a possibility this issue would come back for further action.

7. Letter of Support for SB 568 Pending Legislation Proposing a State-wide Ban on Expanded Polystyrene Foam Take-out Food Packaging

Recommendation: Approve for the Mayor's signature a letter of support for SB 568.

Dave Durlinger, City Manager, presented the staff report.

Andy Schraeder distributed a handout from the National Toxicology Program entitled, "Styreen, a likely human carcinogen." He stated that polystyrene is 60 percent Styrofoam and that it causes a hazard to the workers in the food industry. He also distributed a copy of a study regarding perishable food containers which described differences between foam containers and alternatives. He noted that 47 jurisdictions in California have enacted bans on polystyrene.

Pat Kistler, Carpinteria Chamber of Commerce, noted that two years ago the Chamber worked with the City to ban takeout containers. She indicated that Elie Helou had planned to address the City Council and noted that he prepares starch containers that can compost completely and that he recently closed a deal with a major yogurt supplier. She commended the City Council for taking this decision two years ago.

Kathy King stated that she was part of the group that came before the City Council two years ago asking that the City Council take action against the use of Styrofoam. She noted that the group presented this idea to the Santa Barbara City Council; however, they did not move forward because the City was moving towards a food scraps program and they were hoping to promote the use of biodegradable containers. She stated that the problem with these containers is if they are taken to a landfill they give off methane gas, they are less inert, and they cause more impact in terms of green house gases than a Styrofoam container. She thanked the City Council for its leadership and vision.

Bill Hickman, Surfrider Foundation, noted that they were a co-sponsor of SB 568 and he expressed his appreciation for the City Council's consideration of a letter of support

Penny Owens thanked the City Council for their leadership on this issue and urged that they submit the letter of support.

Motion by Vice Mayor Stein, seconded by Councilmember Reddington, to approve for the Mayor's signature a letter of support for SB 568.

A voice vote was taken and the motion carried with Councilmember Armendariz absent.

**TEMPORARY ADJOURNMENT FOR THE PURPOSE OF HOLDING THE ANNUAL MEETING OF THE CARPINTERIA PUBLIC IMPROVEMENT CORPORATION (CPIC)**

Mayor Clark temporarily adjourned the City Council meeting at 8:37 p.m. in order to hold the Annual CPIC meeting.

**RECONVENE THE REGULAR MEETING OF THE CITY COUNCIL**

Mayor Clark reconvened the City Council Meeting at 8:40 p.m.

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

Vice Mayor Stein departed from the meeting at 8:41 p.m.

Councilmember Reddington noted that it was her understanding that people were allowed to launch jet skis from any beach in Carpinteria. City Manager Dave Durflinger responded that the City has always allowed launching of motorized water craft, including jet skis, from the Ash Avenue boat launch area. Councilmember Reddington inquired whether jet skis were allowed to come out beyond the buoys. Mr. Durflinger responded that jet skis could not be used within the buoyed area of the swim zone.

Councilmember Reddington noted that some City Councils allow for Council reports, inquiries, and other matters presented by Councilmembers after Oral Communications. She inquired regarding the reason this section of the agenda was changed back to the end of the meeting. Mayor Clark responded that this was a decision he made at his discretion. Councilmember Reddington noted that this was the portion of the agenda where the Councilmembers bring up new ideas. Councilmember Carty expressed his preference to have this at the end of the meeting. Mayor Clark suggested that Councilmember Reddington seek feedback from other Councilmembers.

**ADJOURNMENT**

The meeting was adjourned at 8:45 p.m. by Mayor Clark in honor of former Mayor Tom Lewis.

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Al Clark, Mayor

ATTEST:

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Fidela Garcia, CMC  
City Clerk