

**City of Carpinteria
City Council Minutes
Regular Meeting
Council Chambers
Monday, September 10, 2012**

ROLL CALL

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

Councilmembers present:

Councilmember Gregg Carty
Councilmember Kathleen Reddington
Councilmember Joe Armendariz
Vice Mayor Brad J. Stein
Mayor Al Clark

Staff members present:

Dave Durlfing, City Manager
Peter Brown, City Attorney
Fidela Garcia, City Clerk
Charles Ebeling, Public Works Director/City Engineer/Traffic Engineer
Cindy Vestel, Management Analyst
Erin Maker, Environmental Coordinator

PLEDGE OF ALLEGIANCE

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

INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS

1. Presentation on the Camp 4 Housing Project by Mark Schneipp, California Economic Forecast

Mark Schneipp provided a PowerPoint presentation with an economic update for the State of California, County of Santa Barbara, and City of Carpinteria, and a presentation of the Camp 4 Housing Project in the Santa Ynez Valley. He stated that the stimulus from this project would create 100 to 360 construction jobs, 350 to 425 jobs during the peak years, \$80 million to \$100 million total income to the County, \$18 million in total taxable sales, and a few more homes sales in the County.

Councilmember Armendariz commented that this project speaks to the importance of having a county-wide, strategic economic development effort. Councilmember Reddington asked that Mr. Schneipp return in six months to provide an update.

PUBLIC INFORMATION REPORTS AND ANNOUNCEMENTS

CITY MANAGER'S REPORT

- Public flags will be flown at half mast on Patriot Day, September 11.
- Carpinteria/Summerland Fire Protection District will hold its annual ceremony on September 11 at 9:00 a.m. at Fire Station No. 1 to remember the victims, families, and heroes of the terrorist attacks of September 11, 2001.
- September 22 will be the *Don't Panic, Prepare Community Fair* at Casitas Plaza from 10:00 a.m. to 1:00 p.m. He acknowledged Venoco for helping to sponsor the event.
- A Harbor Seal carcass attacked by a shark was found at the beach earlier in the day. He asked the public to be aware of this recent attack and to make informed decisions about entering ocean waters. He stated that City staff will be participating with other agencies to discuss creating protocol for making public shark advisories or beach closures. He also stated that Parks and Recreation Director Matt Roberts would be working on scheduling a panel of shark behavioral experts to come speak to the community due to the number of recent sightings and attacks in the area and the risk to public health and safety.

Charles Ebeling, Public Works Director/City Engineer, introduced newly hired employee Cindy Vestel, Management Analyst. Ms. Vestel thanked the City Council for the opportunity to work for the City.

PRESENTATIONS BY CITIZENS/PUBLIC COMMENT

Sherri Fisher, General Manager of Metropolitan Transit District (MTD), stated that the seven-member MTD Board of Directors is composed of members from the Cities of Carpinteria, Goleta, and Santa Barbara and the County, and one member is chosen at-large from the community by the Board. She announced that the at-large position is open at this time and applications will be taken through October 1 until 2:00 p.m. She stated that the primary duty of the Board is to set overall policy direction and to maintain financial accountability for the use of public funds.

Pat Kistler, Carpinteria Valley Chamber of Commerce, noted that AAA Westways magazine included an advertisement promoting Carpinteria. She announced the September 14 Business at Breakfast at Rincon and the September 20 golf tournament fundraiser for the Junior Carpinteria Scholarship Fund. She noted that there would be an opportunity to ride the black pearl limousine bus from the Chamber office to the Glen Annie Golf Course and back to attend the golf tournament festivities. She also announced the Lunch and Learn on September 21 at Curious Cup for a presentation on Medicare and a non-partisan forum for City Council candidates on October 10 from 6:00 to 8:00 p.m. in the Council Chambers. Councilmember Armendariz inquired whether the advertisement in Westways was for the Tourism Business Improvement District (TBID).

Ms. Kistler responded that this was correct and that in order to qualify to continue to receive TBID funding the Chamber of Commerce must prove a direct connection to the hotels.

Councilmember Armendariz referred to the first quarter sales tax update and noted the results for general consumer goods comparing the first quarter of 2011 to the first quarter of 2012 showing a major reduction in consumer goods. Ms. Kistler thanked Councilmember Armendariz for providing the information so that the Chamber of Commerce may discuss. City Manager Dave Durlinger stated that he believed the update reflected an anomaly and that he would provide additional information to the City Council.

Councilmember Reddington inquired whether the Westways magazine advertisement could be included on the City's website. Ms. Kistler responded that she believed this could be accomplished and suggested it also be included on the City Scroll.

AGENDA MODIFICATIONS: NONE

CONSENT CALENDAR

Mayor Clark noted that a copy of amended minutes for August 27, 2012 was provided to the City Council.

Peter Brown, City Attorney, stated that he would be recusing himself from this item due to a conflict of interest with Union Pacific Railroad and exited the Council Chambers.

Vice Mayor Stein stated that he would recuse himself from Item 4 as he has a conflict of interest due to his employment with Union Pacific Railroad.

It was moved by Vice Mayor Stein, seconded by Councilmember Clark, to approve the Consent Calendar, including the correction to the August 27, 2012 regular meeting and Resolution No. 5407 as read by title only.

Upon voice vote, motion carried. Vice Mayor Stein abstained from Item 4.

2. Minutes of the Regular Meeting Held August 27, 2012
3. Expenditures for the Period Ending September 5, 2012
4. Accept and Approve Recordation of Tentative Parcel Map 25,190 for Recordation, Union Pacific Railroad Two-way Lot Split, TPM 25,190 Final Map Clearance, Case No. 02-1633-TPM/CDP

5. Adopt Resolution No. 5407, as Read by Title Only, Authorizing the Destruction of Certain Obsolete Records in the City Clerk Department as Specified in Exhibit A

ADMINISTRATIVE MATTERS: NONE

PUBLIC HEARINGS:

6. Annual Review of Fire Protection Mitigation Fee Program and Fee Adjustment

Recommendation: Adopt Resolution No. 5404, as read by title only, a Resolution of the City Council of the City of Carpinteria Updating the Fire Protection Mitigation Fee Schedule for Development and Approving and Accepting the Carpinteria-Summerland Fire Protection District's Annual Report.

City Attorney Brown returned to the Council Chambers and took his seat at the staff table.

Charles Ebeling, Public Works Director/City Engineer/Traffic Engineer, presented the report.

Fire Chief Mike Mingee noted that the City has had a Fire Protection Mitigation Fee since 2003 and the City Council adopted a new Nexus Study and Master Facility Plan in 2009. He provided a brief summary of the annual report.

Mayor Clark opened the Public Hearing. No public comment. Mayor Clark closed the Public Hearing.

Motion by Vice Mayor Stein, seconded by Councilmember Reddington, to adopt Resolution No. 5404, as read by title only, approving and accepting the Carpinteria-Summerland Fire Protection District's Annual Report and updating the District's Master Facilities Plan.

Upon voice vote, motion carried.

7. Annual Review of the City's Development Impact Fee Program and Capital Improvement Plan

Recommendation: Adopt Resolution No. 5403, as read by title only, a Resolution of the City of Carpinteria City Council Updating the City's Capital Improvement Plan and Approving and Accepting the Annual Report on the City's Development Impact Fee Program.

Charles Ebeling, Public Works Director/City Engineer/Traffic Engineer, presented the report.

Mayor Clark opened the Public Hearing. No public comment. Mayor Clark closed the Public Hearing.

Motion by Vice Mayor Stein, seconded by Councilmember Reddington, to adopt Resolution no. 5403, as read by title only, approving and accepting the Development Impact Fee Annual Report and updating the City Capital Improvement Plan.

Upon voice vote, motion carried.

OTHER BUSINESS:

8. Special Event Permit for the 2012 Avocado Festival

Recommendation: That the City Council (1) Approve the issuance of Special Event Permit for the 2012 Avocado Festival in accordance with the attached conditions of approval and Festival description, (2) Make the determination that during the hours of Festival operation the area within beer garden boundaries as set forth in the attached map, is a Public Park pursuant to C.M.C. Section 10.28.010, and (3) Authorize expenditures of City resources as detailed in the staff report.

Councilmember Carty recused himself from this item as he is on the Board of Directors. He stepped down from the dais and exited the Council Chambers.

Erin Maker, Environmental Coordinator, presented the report.

Councilmember Reddington inquired regarding the total amount the City pays towards the event. Ms. Maker responded that the cost was estimated at \$12,000 for personnel and \$5,000 for the Sheriff's Department.

Anthony Staal, representing the Board of Directors of the Avocado Festival, spoke regarding enhancements to the festival, including better shuttle service, better parking, dog daycare and adoptions, tips received for beer and wine would be used towards the Carpinteria Foundation Youth Scholarship, more food vendors, and reduced cost for non-profit organizations. He expressed his appreciation for the City's partnership.

Vice Mayor Stein inquired that since this was a fundraiser for many non-profit organizations whether anyone had spoken with the Sheriff's Department regarding donation of their time or decreasing their fee so that more money can go to the non-profit organizations. Councilmember Reddington suggested that perhaps the Sheriff's Department could charge for regular time rather than overtime hours. Mr. Stall responded that they would have 16 security guards and six Sheriff Deputies and that he would not recommend reducing police presence because security guards are not armed.

Councilmember Reddington stated that she would like to see a listing of the non-profit organizations and what areas the proceeds would go towards. Mr. Stall responded that many of the non-profit organizations do not provide such a listing; however, Carpinteria Beautiful has raised about \$4,000 to purchase equipment. Councilmember Reddington suggested including on the website that the festival benefits community groups.

Councilmember Armendariz stated that the economic and fiscal value of the festival is tremendous and it more than pays for itself. He also stated that he did not want to create a less than enthusiastic police presence in terms of keeping the peace and making sure the festival is successful with minor disruption.

Motion by Vice Mayor Stein, seconded by Councilmember Armendariz, to approve the issuance of a Special Event Permit for the 2012 Avocado Festival in accordance with its special conditions, make the determination that the area within beer garden boundaries is a Public Park pursuant to C.M.C. Section 10.28.010, and authorize expenditure of City resources as detailed in the staff report.

Upon voice vote, motion carried.

Councilmember Carty returned to the Council Chambers and took his seat at the dais.

9. A City Endorsement of Proposition 37, the Voter Initiative that Would Require Product Labeling in California of Certain Genetically Engineered Foods

Recommendation: Adopt Resolution No 5408, as read by title only, a Resolution of the City of Carpinteria City Council in Support of Proposition 37, Genetically Engineered Foods Mandatory Labeling Initiative Statute

Dave Durlinger, City Manager, presented the staff report.

Royce Stauffer stated that the initiative does not prove what is in food and it only informs of the plant that created the food. He noted that there are certain populations who for either philosophical or religious reasons only eat foods that are created in certain ways, such as kosher food or organic food, and that these foods are voluntarily labeled. He stated that in his opinion laws such as this are not needed, they are expensive, and they create more frivolous lawsuits. He also stated that the people who are promoting this legislation can insist that manufacturers label their products in either a positive or negative way and a law is not needed.

Trevin Babcock, representing Santa Barbara Label GMO's, expressed his appreciation for the City's letter of support. He noted that two events would be held in Santa Barbara: a movie called Genetic Roulette on September 20 and a rally on September 22. He stated that approximately 971,000 registered voters signed the petition to place this proposition on the ballot. He also stated that genetic engineering using DNA technology

is an unstable and controversial technology that was introduced into the food supply 15 years ago without adequate testing. He expressed that consumers have the right to know what is in their food and he asked for the City's support of Proposition 37.

William Olkowski, PhD, retired Entomologist/Scientist, stated that he worked 40 years in developing integrated pest management programs. He spoke in support of Proposition 37.

Motion by Vice Mayor Stein, seconded by Councilmember Reddington, to adopt Resolution No. 5408, as read by title only.

Councilmember Armendariz stated that this is a complex science and an issue; however, California continues to be one of the most highly regulated states in the country. He noted that many farmers are concerned with this proposition because it could be approached in a more tactical manner. He stated that the proposition also includes other agri-business production that has nothing to do with genetically modified food, and the proposition would increase the cost of food and the cost of government in order to enforce this law. He noted that with the passage of this proposition anyone could sue a grocery store or a farm without having proof of any personal damage. He stated the he does not support the proposition.

Councilmember Reddington stated that people can make a choice for themselves if food is labeled. Councilmember Clark and Vice Stein expressed their support.

Upon voice vote, motion carried. Councilmember Armendariz dissented.

10. Letter of Support for Rincon Point World Surfing Reserve Designation

Recommendation: Authorize the Mayor to sign a letter of support for designating Rincon Point a World Surfing Reserve

Dave Durlinger, City Manager, presented the report.

Wayne Babcock spoke in support of designating Rincon Point a World Surfing Reserve.

Will Henry noted that he learned to surf on Rincon Point. He stated that he is the founder of Save the Waves Foundation who are strong partners with Surfrider Foundation, Water Keeper Alliance, and other non-profit organizations in California. He spoke in support of designating Rincon Point a World Surfing Reserve.

Motion by Councilmember Reddington, seconded by Vice Mayor Stein, to authorize the Mayor to sign a letter of support and direct staff to transmit the letter to the appropriate parties.

Councilmember Armendariz inquired whether there were any drawbacks in this designation and whether there would be any difficulty in use by adjacent properties or impacts to potential coastal development. Mr. Durflinger responded that this designation would be from a non-governmental organization, it would have no legal standing, and it may be relied upon for private or public organizations seeking grant applications. He stated that on face value there would be no potential to affect private development or public projects; however, this designation could be relied upon for other policy decisions in the context of citizen groups or other organizations lobbying local, State, or Federal decision-makers about establishing new or different protections for a particular area for development in the future if someone were to interpret that the Rincon were to be affected by development of a particular project.

Councilmembers Carty and Reddington and Vice Mayor Stein spoke in support.

Upon voice vote, motion carried.

11. Options for disseminating Information Related to Measure E2012, the City Services Support Measure

Recommendation: Direct staff to proceed pursuant to the public information plan described in the staff report.

Dave Durflinger, City Manager, presented the staff report and PowerPoint presentation.

Councilmember Carty inquired whether the City was tracking how many people view the City's website. Mr. Durflinger responded that he was unsure; however, he would look into this possibility.

No public comment.

Motion by Vice Mayor Stein, seconded by Reddington, to direct staff to take steps necessary to provide the public with information concerning Measure E2012 pursuant to the plan described in the staff report.

Upon voice vote, motion carried.

COMMITTEE REPORTS, INQUIRIES AND OTHER MATTERS PRESENTED BY COUNCILMEMBERS

Councilmember Reddington stated that she attended the League of California Cities Annual Conference and noted that she would be one of six delegates who will approach the Coastal Commission regarding cities' needs.

ADJOURNMENT

The meeting was adjourned at 7:14 p.m. by Mayor Clark.

Al Clark, Mayor

ATTEST:

Fidela Garcia, CMC
City Clerk