

**City of Carpinteria  
City Council Minutes  
Regular Meeting  
Council Chambers  
Monday, October 22, 2012**

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**ROLL CALL**

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

Councilmembers present:

Councilmember Carty  
Councilmember Reddington  
Vice Mayor Stein  
Mayor Clark

Staff members present:

Dave Durflinger, City Manager  
Peter Brown, City Attorney  
Fidela Garcia, City Clerk  
Charles Ebeling, Public Works Director/City Engineer/Traffic Engineer  
Erin Maker, Environmental Coordinator  
Arlene Balmadrid, Human Resources/Risk Manager Administrator

**PLEDGE OF ALLEGIANCE**

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

**INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS: NONE**

**PUBLIC INFORMATION REPORTS AND ANNOUNCEMENTS: NONE**

**CITY MANAGER'S REPORT**

- Today is the first day of the first phase of the single use bag ban for large commercial establishments. The second phase will take place April 2013.
- City Council Meetings will begin live streaming on November 13 on the City's website.
- November 6 Election information was displayed, which included last day to register to vote, vote by mail ballot information, and contact information for questions regarding the election.
- Parking Business Improvement Area Advisory Board and participating downtown merchants will host a safe trick or treat event on October 31 from 3:30 p.m. to 5:00 p.m. Participants and their families are invited to the Plaza Playhouse

Theater at 5:00 p.m. to see Michael Katz, Halloween storyteller, who will give a free performance.

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

Fred Shaw stated that he participated in the Candidates Forum as a candidate for City Council. He noted that there was a concern regarding the term “car free” and he explained that “car free” does not mean that cars will be banned in Carpinteria. He indicated that this is a tourist-friendly designation indicating that once visitors arrive in town they will be able to walk, bike, or use public transportation to access the amenities the City has to offer. He noted that many cities in California are using this concept to attract tourists.

Ralph Fertig spoke regarding new data from the U. S. Census Bureau. He addressed one of the questions that asked how people got to work last week and the results from Carpinteria were about the same for alternative transportation for all the modes such as taking the bus, walking, or working from home. He noted that the City had 6.1 percent of residents bicycle to their jobs, which is seven times the State average and 15 times the Federal average. He announced that on October 27 from 2:30 p.m. to 3:30 p.m., Professor John Pucher from Rutgers University would be coming to Santa Barbara to provide a presentation at the Chase Palm Park Center. He stated that the professor is a world expert on bicycling, walking, and other modes of transportation. Councilmember Reddington asked that staff provide this information on the City’s website and on the scroll.

Susan Allen read from a list of chemicals used in fracking. She stated that Venoco was working on revising its Paredon application with the State Lands Commission. She noted that the residents of Carpinteria voted no to Paredon and Venoco was now seeking to drill just outside the City limits and possibly ship the gas into an aging plant. She stated that it was unknown where Venoco wanted to drill, Venoco had asked that the location remain secret, and the State Lands Commission is allowing this even though it is a public application. She asked the City Council to ask the State Lands Commission to give full disclosure on the revised application. She stated that it was known that Venoco is fracking on Platform Gail, boat traffic has increased, the number of workers coming off and on the boats have increased, vehicle traffic has increased, the pier and storage areas are in constant use 24 hours per day seven days per week, and vehicles operate at all hours. She also stated that impacts to air pollution were unknown with the increased traffic. She questioned whether Venoco was paying to moor the extra boats, whether the pier lease adequately compensates the City for this new use, and how the fracking materials were being delivered to Platform Gail. She asked the City Council to call for a round table discussion with the agencies involved.

Vera Benson echoed Susan Allen’s comments. She stated that she believed Venoco’s drilling location was in the County because it was shown in the environmental impact

report as alternate plans. She expressed concern that the drilling would go through the aquifers located under the City.

Councilmember Reddington stated that she was aware of Venoco's application with the State Lands Commission and that the application was incomplete. She expressed her hope that the City Manager and City Council would look into this matter. She stated that the application is for north of Highway 101 outside of the City limits and that it could possibly be Plan B as indicated in the environmental impact report or something totally different. She noted that Venoco was in the process of negotiating with land owners and the application was filed with the State Lands Commission the previous week.

City Manager Dave Durlinger noted that Paredon still had a pending application with the City and Venoco was exploring alternatives and the potential for drilling rigs and associated activities outside of the City limits. He stated that Venoco filed an application pursuant to an agreement with the State Lands Commission and the application was deemed incomplete. He noted that one critical piece of information that Venoco still needed to submit was the exact location of where the facility would be proposed. He stated that staff asked for this information and the State Lands Commission indicated that the information was not available because the application is incomplete and they were keeping the information confidential because negotiations were ongoing. He also stated that in terms of activities at the Carpinteria oil and gas plant at the pier, the activity is regulated through a conditional use permit with the City, which is very old and very broad. He noted that staff had noticed increased activity and storage at the facility and had reviewed the conditional use permit to determine if the increased activity was within the parameters and staff believed it is within the parameters. He stated that staff was looking into the additional mooring cans leases for those facilities and would be contacting the operators of the boats. He also stated that in terms of chemicals related to offshore activities, including fracking, staff contacted the Fire District who would have received a business plan from the operators regarding the chemicals they would be using. He noted that the Fire District indicated there were no chemicals that they were aware of in terms of quantity and type listed on the business plan that would be associated with that type of activity. He stated that staff could also ask Venoco directly.

**AGENDA MODIFICATIONS: NONE**

**CONSENT CALENDAR**

Motion by Vice Mayor Stein, seconded by Councilmember Reddington, to approve the Consent Calendar with the amended Exhibit A for Item 5.

Upon voice vote, motion carried.

1. Minutes of the Regular Meeting Held October 8, 2012.

2. Expenditures for the Period Ending October 17, 2012.
3. Review of Quarterly Investment Results and Certifications Concerning Compliance with Investment Policy and Cash Flow Needs for the Next Six Months.
4. Contract Amendment No. 1 with COM3 Consulting for Project Management Assistance in the Preliminary Engineering Phase of the Carpinteria Avenue Bridge Project in the amount of \$24,750.
5. Adopt Resolution No. 5415, as read by title only, A Resolution of the City Council of the City of Carpinteria Authorizing the Destruction of Certain Obsolete Records in the City Clerk Department as Specified in Exhibit A.

**ADMINISTRATIVE MATTERS: NONE**

**PUBLIC HEARINGS: NONE**

**OTHER BUSINESS:**

6. Franchise Agreement for Solid Waste Handling Services

Recommendation: That the City Council approve and adopt the Franchise agreement for Solid Waste Handling Service with E.J. Harrison & Sons, Inc., effective January 1, 2013 and extend the terms of the current Agreement until December 31, 2012

Charles Ebeling, Public Works Director/City Engineer/Traffic Engineer and Erin Maker, Environmental Coordinator, presented the staff report and PowerPoint presentation.

Vice Mayor Stein inquired regarding the additional cost for a green waste bin. Ms. Maker responded that the information in the staff report was incorrect and that the cost for an additional green waste bin would be \$5.40.

Vice Mayor Stein stated that the public trash bins tend to fill up faster during school breaks and summer and the City Council had previously requested that these bins be emptied more often. Ms. Maker responded that the Public Works Department would be looking to hire a permanent, part-time position that would be responsible for emptying these bins and performing other activities.

Councilmember Reddington suggested having recycling bins placed next to the large dumpsters by the beach. Ms. Maker responded that space would be a challenge and placing another receptacle would limit available parking. Mr. Ebeling noted that E.J. Harrison & Sons had offered to take all of the materials to their facility for sorting and there would be no need to have a separate recycling receptacle.

Peter Brown, City Attorney, noted that the rates and rate increases in the proposed franchise agreement were the maximum rates and maximum rate increases which the contract sets.

No public comment.

Motion by Vice Mayor Stein, seconded by Councilmember Reddington, to approve and adopt Resolution No. 5416, as ready by title only, authorizing the execution of a franchise agreement for solid waste handling effective January 1, 2013, and authorize the letter of agreement extending the terms of the current agreement until December 31, 2012, with the change of \$5.40 for an additional green waste bin.

Councilmember Carty stated that he believed all the citizens of Carpinteria were very pleased with the City's trash service. He also stated that E.J. Harrison & Sons was on the cutting edge of recycling. Vice Mayor Stein commended E.J. Harrison & Sons for the service they provide to the City.

Councilmember Reddington inquired regarding the establishment of two locations for household battery collection. Ms. Maker responded that the City currently collects batteries on the second and fourth Saturday each month and this new program could provide residents with more accessible locations.

Councilmember Reddington expressed her desire for more recycling bins on the beach so that people may sort their own recycling. Ms. Maker responded that signs would be posted on the dumpsters that the materials will be separated at a facility. City Manager Dave Durflinger noted that all of the refuse would be taken to a materials recovery facility where nearly everything would be recycled and very little would be taken to the landfill.

Upon voice vote, motion carried.

#### 7. Review of First Quarterly Financial Results

Recommendation: Receive and direct staff as determined appropriate.

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

No public comment.

Motion by Vice Mayor, seconded by Councilmember Reddington, to receive and file the first quarterly financial results.

Upon voice vote, motion carried.

8. Amendment to City's California Public Employees' Retirement System (CalPERS) Contract

Recommendation: a. Adopt Resolution No. 5414, A Resolution of Intention between the Board of Administration California Public Employees' Retirement System (CalPERS) and the City Council of the City of Carpinteria; and b. Introduce Ordinance No. 659, as read by title only, An Ordinance of the City Council of the City of Carpinteria Authorizing an Amendment to the contract between the City Council and the Board of Administration of the California Public CalPERS , specifically, modifying the terms of the agreement between the City and its employees.

Arlene Balmadrid, Human Resources/Risk Manager Administrator, presented the report.

No public comment.

Motion by Vice Mayor Stein, seconded by Councilmember Reddington, to adopt Resolution No. 5414, A Resolution of Intention between the Board of Administration California Public Employees' Retirement System (CalPERS) and the City Council of the City of Carpinteria; and introduce Ordinance No. 659, as read by title only, An Ordinance of the City Council of the City of Carpinteria Authorizing an Amendment to the contract between the City Council and the Board of Administration of the California Public CalPERS , specifically, modifying the terms of the agreement between the City and its employees.

Vice Mayor Stein and Councilmember Carty acknowledged all City employees for their efforts.

Upon voice vote, motion carried.

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

Councilmember Reddington stated that several people had spoken in support of a dog park at Heath Ranch Park. She inquired whether a crossing guard was hired for Aliso School because she had heard that this was still a very unsafe area in the morning and afternoon. She asked whether a motorcycle police officer could be situated there to regulate traffic. She stated that some constituents expressed concern regarding street trees across from Main School and other locations. Lastly, she wished everyone a Happy Halloween.

**ADJOURNMENT**

The meeting was adjourned at 6:45 p.m. by Mayor Clark.

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Al Clark, Mayor

ATTEST:

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Fidela Garcia, CMC  
City Clerk