

**City of Carpinteria  
City Council Minutes  
Regular Meeting  
Council Chambers  
Monday, November 26, 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 Durlinger, City Manager  
Peter Brown, City Attorney  
Fidela Garcia, City Clerk  
Steve Goggia, Senior Planner  
Lieutenant Kelly Moore, Sheriff's Department  
Sylvia Echeverria, Code Compliance Supervisor  
Jackie Campbell, Community Development Director

**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**

- Notice of Funds Available has been issued for the annual Community Block Grant (CDBG) Program. The City has an allocation of \$18,000 for human services support. Applications are available at the County of Santa Barbara or at City Hall.
- El Carro Lane Sidewalk Infill Project construction will begin this week.
- Construction commenced today for the annual sand berm project at the beach between Ash and Linden to protect private properties and public improvements from winter storm wave coastal flooding.

- Applications for the Annual Holiday Spirit Parade are available at City Hall and on the City's website. The parade is scheduled for December 8 at 3:00 p.m.

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

Pat Kistler, Carpinteria Valley Chamber of Commerce, reported that Small Business Saturday was held the previous Saturday. She announced that a celebration would be held for the 80<sup>th</sup> anniversary of EJ Harrison on December 5 at the Boys and Girls Club. She noted that the Curtis Dancers would perform at the First Friday event on December 7 from 5:00 p.m. to 8:00 p.m., and the Festival of Trees would be held as well. She also noted that a Craft Faire would be held at Casitas Plaza on December 8 from 10:00 a.m. to 4:00 p.m. She stated that the Annual Awards Banquet would be held on January 26 at the Boys and Girls Club.

Susan Allen expressed her concern regarding Veneco and their fracking activities with chemicals at Platform Gail. She stated that she was still waiting to hear how chemicals were being transported to the site. She also expressed her concern with Tank 861. She noted that an article was published in the *Independent* on November 15 where they questioned federal oversight of fracking. She asked for a roundtable discussion with all the agencies involved.

Roy Stauffer stated that he owns an electric vehicle and he was unable to use the charging station by the railroad because another vehicle was parked in front of it. He cited Vehicle Code Section 22511D that addresses signage concerning unauthorized vehicles not connected for electric charging will be towed at owner's expense.

Mayor Clark inquired how the City or a citizen could find information regarding the storage and transportation of fracking chemicals and inquired regarding Mr. Stoffer's concern. City Manager Dave Durflinger responded that staff has asked the Fire District regarding the business plan for the oil and gas plant and that once the information is received staff will forward the information to the City Council and to members of the public who have brought forth this question. He noted that staff will also receive information regarding Tank 861 and its inspection schedule. He stated that staff was in the process of investigating restricting the use of the electrical vehicle charging station and the time limit.

### **AGENDA MODIFICATIONS: NONE**

### **CONSENT CALENDAR**

Motion by Vice Mayor Stein, seconded by Councilmember Carty, to approve the Consent Calendar and Resolution No. 5420 as read by title only.

Councilmember Reddington asked to pull Item 3.

Amended motion by Vice Mayor Stein, seconded by Councilmember Carty, to approve the Consent Calendar and pull Item 3 to be considered at the end of the agenda.

Upon voice vote, motion carried.

1. Minutes of the regular meeting held November 13, 2012.
2. Expenditures for the period ending November 20, 2012.
4. Consider Canceling the Regular City Council meeting of December 24 and Closure of City Hall on December 24 and 31, 2012.

**ADMINISTRATIVE MATTER(S): NONE**

**PUBLIC HEARING(S): NONE**

**OTHER BUSINESS:**

5. Mission Terrace Annual Development Agreement Compliance Review and Termination of Development Agreement, Case No. 03-1122-DP/TM/VAR/MOD/CEP/CDP/DA, Timm Development Inc.

Recommendation: Find that the Mission Terrace Estates project is in substantial compliance with the terms of the Development Agreement, dated February 28, 2005, reserving all rights thereunder, and record a Notice of Termination of the Development Agreement.

Steve Goggia, Senior Planner, presented the staff report.

No public comment.

Motion by Vice Mayor Stein seconded by Councilmember Carty, to find that the Mission Terrace Estates project is in substantial compliance with the terms of the Development Agreement, dated February 28, 2005, reserving all rights thereunder, and record a Notice of Termination of the Development Agreement.

Upon voice vote, motion carried.

6. Thrifty Payless, Inc. (dba Rite Aid) Request for a Letter of Public Convenience and Necessity Related to an Alcoholic Beverage Control Premises to Premises Transfer of Type 21 Off-Sale General License to Sell Beer, Wine and Distilled Spirits at 801 Linden Avenue

Recommendation: Review Rite Aid's application for Premise to Premises Transfer of an ABC License from Goleta to Carpinteria and determine that the Public Convenience and Necessity would not be served by the issuance of an ABC license at the subject location.

Sylvia Echeverria, Code Compliance Supervisor, presented the staff report.

Jackie Campbell, Community Development Director, clarified for the record that the Rite Aid store was cited for selling alcohol to an underage buyer, not to a minor buyer.

Steve Lockhart, District Manager for Rite Aid, noted that Rite Aid has stepped up its training program making it mandatory that every employee passes 100 percent. He stated that Rite Aid has a zero tolerance for any infraction and the employee who sells alcohol to an underage buyer is terminated. He assured the City Council that this would come under scrutiny should the Rite Aid store be allowed the license.

No public comment.

Councilmember Reddington asked Lt. Moore to respond to the use of false identification cards by minors and the use of identification card scanners at stores. Lt. Moore responded that the card reader reads the magnetic strip on the reverse side of a driver's license and encoding false identification cards is somewhat difficult. He stated that typically someone will use someone else's identification card rather than a false identification card.

Motion by Vice Mayor Stein, seconded by Councilmember Reddington, that the City Council not issue a Letter of Public Convenience and Necessity for Rite Aid's application for Premise to Premises Transfer of an ABC License from Goleta to Carpinteria and to determine that the Public Convenience and Necessity would not be served by the issuance of an ABC license at the subject location.

Upon voice vote, motion carried.

#### 7. Sheriff's Department Annual Report on Law Enforcement

Recommendation: Receive and file report.

Lt. Kelly Moore presented the Sheriff's Department Annual Report on Law Enforcement and PowerPoint presentation.

Councilmember Carty inquired whether there was a way to distinguish the City's police staff by use of a different uniform. Lt. Moore responded that they could change the uniforms; however, the expense would be \$15,000 to \$16,000. He stated that this might not be financial feasible at this time and the officers would need to have two different

uniforms for use in the City and for use in the County. Councilmember Reddington suggested that the Deputies wear a City of Carpinteria button on their uniforms or a Velcro patch.

The City Council commended the Sheriff's Department for their services.

No public comment.

Received and filed.

3. Adopt Resolution No. 5420, as read by title only, A Resolution of the City Council of the City of Carpinteria, California, Adopting a Policy for Ceremonial Recognitions.

Councilmember Reddington inquired whether instead of issuing a recognition plaque whether a donation could be made in the recipient's name to a local non-profit organization. City Manager Dave Durflinger responded that a donation could be made at the Council's discretion or the Council may include it in the proposed policy.

The City Council discussed options to recognize outgoing Councilmembers in lieu of receiving a plaque, the nominal value of a plaque, concerns with gift of public funds, and presenting gifts separate from the resolution.

Motion by Vice Mayor Stein, seconded by Councilmember Carty, to adopt Resolution No. 5420, as read by title only, adopting a policy for ceremonial recognitions.

Upon voice vote, motion carried.

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

Councilmember Reddington inquired regarding the signage at Vons on single use bags, which were banned for environmental reasons. Mr. Durflinger responded that staff had not yet spoken with Vons management; however, the sign is not inaccurate regarding the ban of single use bags. Councilmember Reddington reported that Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) was moving forward with an environmental impact report for banning single use bags. She inquired regarding the status of a dog park and noted that some residents suggested Heath Ranch Park.

Councilmember Carty reported that he attended the Chili Cook-off at Girls, Inc., where he was presented with a Certificate of Recognition for the Council's support.

**ADJOURNMENT**

The meeting was adjourned at 6:51p.m. by Mayor Clark.

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Al Clark, Mayor

ATTEST:

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Fidela Garcia, CMC  
City Clerk