

**City of Carpinteria
City Council Minutes
Regular Meeting
Council Chambers
Monday, December 12, 2011**

CALL TO ORDER

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

ROLL CALL

Councilmembers present:

Councilmember Carty
Councilmember Reddington
Councilmember Armendariz
Vice Mayor Stein
Mayor Clark

Staff members present:

Dave Durlinger, City Manager
Peter Brown, City Attorney
Beth Collins-Burgard, Deputy City Attorney
Fidela Garcia, City Clerk
Jackie Campbell, Community Development Director

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 and Resolution No. 5353 Declaring January 2012 Carpinteria Business Month.

Mayor Clark read Resolution No. 5353 declaring January 2012 as Carpinteria Business Month. He presented the resolution to Lynda Lang representing the Carpinteria Valley Chamber of Commerce. Ms. Lynda Lang thanked the City Council for the recognition. She invited everyone to the Annual Community Awards Banquet to be held on January 28, 2012, at the Carpinteria Boys and Girls Club. She noted the Chamber of Commerce would be celebrating its centennial celebration. She introduced Karen Graff, Co-Chair.

2. Presentation of Mayoral Recognitions to Bryan Swarm and Bill Dayka Outgoing Board Members of the Parking and Business Improvement Area Advisory Board.

Mayor Clark presented Mayoral Recognitions to Bryan Swarm and Bill Dayka, outgoing Board members of the Parking and Business Improvement Area Advisory Board. He noted that Preston Marks was also an outgoing Board member; however, he was unable to attend the meeting. Mr. Dayka and Mr. Swarm expressed their gratitude in working with the City.

PUBLIC INFORMATION REPORTS AND ANNOUNCEMENT: None

CITY MANAGER'S REPORT

- Tomol Interpretative Plan Area, in partnership with California State Park, Morning Rotary Club, and City of Carpinteria, is being recognized by the State Parks Director, Ruth Coleman. The partnership will receive the Universal Access Award for improving access for people with disabilities. Award will recognize Rich Rojas, Rich Rozzelle, Wes Chapin, Barry Matsimoto, Matt Roberts, and Wayne Namura.
- City Hall, facilities, and community pool will be closed for the holiday and furlough days from December 23, 2011 to January 2, 2012.
- City Attorney Peter Brown introduced Dylan Johnson who will be working in the City Attorney's Office. Mr. Johnson graduated from Indiana University and studied law at Notre Dame. He recently passed the bar and was sworn in last week, and he will be serving as a Deputy City Attorney. Mr. Johnson stated that he was excited to be working for the City of Carpinteria and he looks forward to working with the City Council and City staff.

INQUIRIES & OTHER MATTERS PRESENTED BY COUNCILMEMBERS - None

PRESENTATIONS BY CITIZENS/PUBLIC COMMENT

Allen Grant noted that he distributed a handout to the City Council earlier in the evening. He stated that he was representing youth athletic swimmers who want to implement a fundraiser for their aquatics program. He mentioned that the parents and youth identified best practices in fundraising and they were seeking the City's permission for space at the pool deck to install fundraising signs to sell sponsorships to community members and families. He noted that they conducted research and found where the City of Malibu and a high school share a pool and they shared their program of developing sponsorship. He stated that the youth would like to model a program such as this and he asked for a future agenda item to allow the kids to come make a presentation.

Bryan Swarm gave a breakdown of the number of youth who participate in aquatic programs. He summarized the monthly costs, equipment needs, and the merits of athletic swimming. Mayor Clark stated he would like to put this item on a future agenda. Councilmember Reddington agreed.

William Connell, 25-year resident and in business for 20 years, stated that he was asked by a few people to speak at the meeting. He directed his comments to the City Council, specifically to Councilmember Armendariz, and noted that he supported Councilmember Armendariz through his election. He stated that he was not present to discuss Councilmember Armendariz's automobile accident which occurred the previous Friday night. He mentioned that his friends informed him that there were semi nude photographs on Facebook of Councilmember Armendariz with his hands down his pants and that when the photographs were sent to Councilmember Armendariz's representatives they contacted his friends and warned them not to publish nor speak of this issue. He asked Councilmember Armendariz to tell him whether this was true and if it was not true that he would offer him an apology. He stated that he wanted it to be explained what was occurring with the City's elected officials and what was occurring with Councilmember Armendariz's decision-making process.

Miguel Checca, 1085 Kramer Road, spoke regarding Councilmember Armendariz's recent automobile accident where he was driving while drunk. He stated that he was glad that Councilmember Armendariz's injuries were not fatal. He also stated that driving drunk showed poor judgment and a serious problem. He commented that in the public realm people should consider the other side of driving under the influence and the high number of victims who are maimed or killed every year. He noted that his sister's daughter, Kathy, who was in her mid 20's, was killed in 1999 by a drunk driver, and that one of his friends lost a daughter and mother-in-law in an accident caused by a drunk driver. He questioned whether Councilmember Armendariz's may have drunk alcohol before attending Council meetings or committee meetings including Santa Barbara County Association of Governments, California Joint Powers Insurance Authority, City Council School Board Committee, City Council Fire District Board Committee, or Transportation Committee. He inquired what the City Council could do to remove Councilmember Armendariz from the City Council. He wished Councilmember Armendariz well in becoming a recovering alcoholic.

Bob Franco, 4928 Eighth Street, stated that he was following up on the November 14 meeting where he requested that the City conduct an independent inspection and analysis of the safety and reliability of the 16-inch natural gas transmission line that runs through the center of the City, specifically from Santa Claus Village to Calle Ocho. He also stated that he believed this line had the most potential for a catastrophic event and it should be inspected because of its size, location, and age. He noted that he found out that the pipeline does not have automatic or remote control shutoff valves and that the Fire Department believed there is a manual shutoff valve on the Venoco property. He stated that in the event of a rupture the only response that the Fire Department could do would be to evacuate the area and wait for The Gas Company to shut off the pipeline. He requested that the City Council put in an appeal for an independent test or direct staff to verify the logistics of this request and report back at a later date. He urged the public to contact the Councilmembers, City staff, and State and Federal representatives, and ask them to support this project.

Patricia Bartolie-Wible, representing Southern California Edison, presented a resolution of appreciation to the City of Carpinteria for being a valued and significant part of Southern California Edison's 125-year history.

Councilmember Armendariz expressed his appreciation to those who expressed their concern for his health following his accident. He noted that he had not interpreted the concern as approval for his behavior and that there was no excuse for the decision he made to get behind the wheel of a car after he had been drinking. He also expressed his appreciation to those who had taken the time to contact him with words of harsh condemnation. He noted that he had been dealing and battling with the issue of alcohol for the majority of the last 25 years and it had been the most difficult struggle he had ever experienced. He noted that many members of his family had also struggled with alcohol. He mentioned that within minutes of murdering his grandmother his grandfather committed suicide when he was drunk on the day that World War II ended in 1944. He noted that this had a negative impact on his mother's life and her brothers and sisters. He stated that the previous Friday night was the first time since his mother passed away that he was glad she was not alive because he knew how disappointed and frustrated she would have been in due to his behavior. He also stated that he sees public service as an honor and a privilege and he did not see his role on the City Council as an entitlement. He noted that the people of Carpinteria empowered him with their trust and confidence and he violated that trust. He stated that his judgment was unfair to those around him at the time and unfair to his family, particularly his children and his younger daughters who attend local schools. He noted that he met with the Mayor and City Manager and asked them their opinion on his role on the City Council and whether or not they felt that his continuing to serve would be a distraction, interruption, or compromise to the organization. He stated that he took their opinions into consideration. He also noted that he had previously made the decision prior to Friday night not to run for reelection. He also stated that he expressed to the Mayor and the City Manager that if they felt his being on the City Council would not undermine the work of the Council that he would like the opportunity to fill out his term. He addressed Mr. Connell's by stating that he was not aware what he was referring to as far as the photographs described on his Facebook. He stated that if there were photographs such as the ones described that he would suspect that the press would have written about it.

Councilmember Carty stated that he wanted to relay comments that he received regarding Councilmember Armendariz and that he had not received one comment that Councilmember Armendariz should remain on the City Council. He also stated that the comments were that Councilmember Armendariz should leave the City Council.

Vice Mayor Stein noted that there was a parallel problem with the head of the Federal Aviation Administration recently when he was pulled over and cited with a DUI. He also noted that the Administrator resigned his position to uphold the integrity and hard work of not only his staff but all his coworkers. He stated that he also heard the same comments from the community that Councilmember Armendariz had a problem and that thankfully nobody else was involved in the accident. He suggested that perhaps it was

time for Councilmember Armendariz to take some time away and work on the matter. He stated that he would not argue the fact that Councilmember Armendariz was a good opposite to many discussions on the City Council and that from what he understood Councilmember Armendariz had done a good job on the Santa Barbara County Association of Governments; however, this matter was much larger as the City Council was holding themselves to a higher standard.

AGENDA MODIFICATIONS

Mayor Clark asked to move Item 11 before Item 10

CONSENT CALENDAR

Motion by Vice Mayor Stein, seconded by Mayor Clark, to approve the Consent Calendar and adopting resolutions as read in title only.

Upon voice vote, motion carried. Vice Mayor Stein abstained from Item 3.

3. Minutes of the Regular Meeting Held November 28, 2011
4. Expenditures for the Period Ending December 7, 2011
5. Amendment to the City Manager's Employment Contract Related to Health Insurance Coverage
6. Adopt Resolution No. 5352, A Resolution of Intention Approving the Amendment to the Contract Between the Board of Administration California Public Employees' Retirement System and the City Council of the City of Carpinteria, as read in title only.
7. Consideration of the Appointment of Gloria Tejeda to the Carpinteria First Committee as an At-large Member
8. Granting of a Ten Foot Wide Utility Easement to the Carpinteria Sanitary District, Across City Parcel 003-470-001 Located Within the Cities Marsh Park
9. Schedule and Approach to the Annual Workshop Special Meeting

ADMINISTRATIVE MATTERS: None

PUBLIC HEARINGS: None

OTHER BUSINESS:

11. Establish and Appoint Members of the Design Review Team for the Linden Avenue-Casitas Pass Road Interchanges and Via Real Extension Project

Recommendation: Establish the Linden Avenue-Casitas Pass Road and Via Real Extension Project Design Review Team and its mission and appoint members to the committee.

Jackie Campbell, Community Development Director presented the staff report.

No public comment.

Mayor Clark recommended appointing George Lehtinen who has a technical background and who is very familiar with this project. He also recommended appointing MaryPat O'Conner because he was impressed with her way of thinking and the questions she had developed regarding the project.

City Attorney Peter Brown noted that the City Attorney's Office conducts an analysis to review any conflicts of interests for all appointments made by the City Council. He stated that it appeared that the two candidates did not have a conflict of interest, although the City Attorney's Office had not had the opportunity to conduct a full analysis. He suggested that the City Council could appoint an alternate in case one of the candidates has a conflict and is disqualified, or the City Council may choose not to appoint an alternate and if it turns out that there is a reason for disqualification the committee could go forward with one member and the City Council could reappoint at a later date.

Vice Mayor Stein recommended appointing Thomas Perry as an alternate.

Motion by Vice Mayor Stein, seconded by Councilmember Reddington, to appoint George Lehtinen and MaryPat O'Conner as the members at large and have Thomas Perry as the alternate, and adopt staff's recommendation of forming the committee with the number of members as stated.

Upon voice vote, motion carried.

10. Discussion on Single-use Carryout Bag Regulations

Recommendation: Consider the report and direct staff as determined appropriate on the options related to various aspects of regulating single-use carryout bags in the City of Carpinteria.

Dave Durlfonger, City Manager; Beth Collins-Burgard, Deputy City Attorney; and Erin Maker, Environmental Coordinator, presented the staff report and PowerPoint presentation.

David Godfrey, local Certified Public Accountant and City resident, noted that he has used cloth bags for his groceries for 20 years. He stated that he finds cloth bags to be

practical and useful for grocery shopping; however, there were some limitations. He commented that he was concerned about the restaurant element because of food safety issues and because restaurants fall under County health regulations. He noted that most people were not aware they should be washing their reusable bags. He suggested that this was one area that deserved special consideration by the City Council. He expressed concern that the City was trying to go too far with a complete ban on paper bags. He suggested that biodegradable paper bags that meet certain specifications should be an exception to the ordinance. He noted that the City had many who visit to the City from different parts of country who will not have their own shopping bags with them. He suggested that the City Council needed to be aware of the effect this ban will have on tourists. He expressed his concern for a displacement of retail sales out of the City during a transition period and he asked the City Council to take this into consideration and explore options.

Joanna Knoll, Pacific Health Foods, noted that she switched to using biodegradable bags and that these bags solved the problem of food safety and pollution. She stated that she believed these types of bags should be excluded and that the City Council should explore this rather than banning all bags. She noted that it would also be a large cost during the transition phase for her to switch to reusable bags. She also noted that most reusable bags are made of the same material as the single use bags and they are woven to resemble fabric. She urged the City Council to consider this from a different perspective and perhaps gear people toward using biodegradable bags.

Terry Oltman, County resident, stated that one of the things that occurred when Albertson's made the conversion was that he heard the comment that they saved \$50,000 a year. He suggested that the thinking be reversed by having the store issue a credit when people bring in their own bag. He commented that stores were likely happy they do not have to spend money on packaging.

Penny Owens, Santa Barbara Channel Keeper, stated that they were extremely concerned about the environmental impacts of disposable bags on the environment. She noted that plastic bags not only harm the environment but they also have a significant economic burden. She stated that local municipalities statewide are paying a lot of money to fund litter removal. She noted that in California people throw away about 247 million pounds of plastic bags every year costing taxpayers \$25 million to clean up and landfill the plastic bags. She stated that they would do all they could to help spread the word for people to bring their reusable bags and to wash their reusable bags. She encouraged the City Council to move forward with as strong as an ordinance as possible. She noted that they understood there was concern for small businesses and they would be willing to support an ordinance that provides exemptions for those most significantly impacted by these regulations.

Tim James, representing California Grocers Association, stated that this was a statewide association that operates with many local governments and whose membership included grocery and convenience stores. He noted that 80 percent of the

members were independent stores. He expressed appreciation on the City's focus for carryout bags and looking at their impacts. He stated that their discussion was not to oppose regulation but to look at what type of regulation there will be and the impacts. He stated that there were three points that needed to be considered when looking at an ordinance with the first being environmental impacts; second being the consumer and what are they being asked to do; and third being the retailers and impacts on them. He noted that there was currently between 40 to 50 jurisdictions throughout the State of California who had either passed an ordinance or are ready to pass an ordinance. He also noted that not only do they have a ban on plastic bags at checkout but they also have a charge for a bag at checkout. He spoke regarding the impacts from charging for paper bags and stated that what they have seen from jurisdictions is that 20 to 25 percent of consumers choose no bag or bring their own reusable bag for transactions and 75 to 80 percent either take a plastic or paper bag. He stated that when there is a ban on plastic and a charge on paper the numbers reverse themselves and 80+ percent of consumers bring reusable bags and the remainder look at potentially purchasing a paper bag for a small charge or purchasing a reusable bag. He commented that ordinances with a ban on plastic and a charge on paper have shown to be effective. He stated that Green Cities California 2010 performed a Master Environmental Assessment performed for reusable bags and that in order to see a benefit greater than a single use plastic or recycle paper bag, the reusable bag has to be used at least 100 times or more. He also stated that this was the reason the definitions used in the 40 to 50 cities included reusable bags being able to be used 125 times for a certain weight over a certain distance. He stated that after speaking with corporate staff and environmental staff from Albertson's they were of the mindset that the mandate from a local jurisdiction for the reusable bag only and a double ban on plastic and paper was actually a step too far and they were experimenting with different variations. He stated that he was available to discuss litigation points as he was familiar with the attorneys involved. He suggested that sometimes lawsuits are filed to send messages rather than answering legal questions. He noted that during CEQA review a number of jurisdictions found that a ban on both plastic and paper bags and reusable bags only would be the only environmental superior choice; however, when balancing the consumer and the retailer into this all of those jurisdictions after CEQA study and discussions decided that the ban on plastic and a charge on paper had a tremendous amount of environmental benefit and effect and at the same time gave retailers and consumers options and choices.

Harry Manuras spoke regarding single use plastic bag or paper versus utilization of reusable bags. He noted that the previous speaker used a number of 125 uses to justify the difference of cost comparison. He stated that he and his wife and at least 60 other people have been collecting trash in the community for many years from the beaches and creeks and they picked up a lot of bags and never picked up one reusable bag.

Tom Truax stated that he performs engineering projects for industrial applications for oil refineries, steel mills, foundries, landfills, and sewage treatment plants. He noted that he has been a Carpinteria resident since 1995. He also noted that his wife drives to the

store and uses reusable bags while he rides his bicycle to the store and usually uses plastic bags. He applauded the City Council for putting this item on the agenda. He noted that plastic bags at grocery stores evolved to meet the functional criteria, and plastic bags were a marvel of engineering and modern materials technology and serve a multitude of uses. He commented that the real issue was disposal and not the usage of plastic bags. He stated that plastic bags were very effective for what they do; however, the problem was they end up in creeks and landfills. He commented that the City could not ban bags without doing damage to members of the community. He noted that plastic bags serve many uses and primary and secondary functions. He stated that when he rides his bicycle from the store he needs to have a handle on his bag to be able to hang it from the handlebar. He also stated that plastic bags are much stronger than paper bags and tolerate getting wet. He noted that many people go to the grocery store without using a vehicle and many go on foot. He stated that it was not practical for people to bring their bags to the grocery store. He suggested that if the City Council were to totally ban plastic bags it would disenfranchise many people who cannot afford automobiles. He stated that he believed the direction that the City Council should take is education since the real problem was not the use of the bags but the disposal of the bags. He suggested that the City Council needed to encourage the community to minimize the use of the bags and dispose of them properly.

Don Riden stated that he believed a ban on plastic and paper bags would be a burden on small businesses and especially travelers who are not prepared to bring a bag with them. He also stated that the City Council needed to consider small businesses versus large businesses and come up with a solution that makes sense. He shared a display of bags he received when shopping for items he had not expected to purchase. He also shared bags that contain or hold products such as clothing and food items and asked whether these types of bags would be acceptable. He noted that a reusable bag is made of 100 percent polypropylene derived from plastic bags. He stated that he believed the City Council was going too far trying to regulate businesses and placing a fine on business persons.

Donna Jordan, representing Carpinteria Beautiful, stated that they had moved on from just encouraging and facilitating the strictly voluntary change from single use bags. She noted that they had come to realize that the negative impacts of plastic bags in the environment were so severe and the solution is so simple that they simply needed to get on with it. She stated that she finds it much easier to carry her reusable bags when she rides her bicycle or when walking, and that reusable bags carry three times more than a plastic bag. She also stated that Carpinteria Beautiful had chosen to remain neutral on the paper bag issue, particularly with the issues of the small local merchants. She commented that they did not want to see this aspect of the proposed ordinance hold up critical action on plastic bags. She stated that she was happy to see the four options to ban single use plastic bags at all stores and options on what to do with paper bags. She suggested consideration of a fifth option of phasing in and addressing paper bags. She encouraged the City Council to move forward on removing plastic bags out of circulation and out of the environment and that this be done as soon as possible.

Andy Schrader, Los Angeles resident, stated that from a tourist point of view he had never actually stopped in Carpinteria until he read that Albertson's had passed its ban on single use bags and he thought this was a town worthy of his consideration. He noted that he loved the town and that he had visited it seven or eight times. He shared a rendering that he prepared of areas where he rides his bicycle and detriments to marine animals. He commented that biodegradable bags were not an answer to marine animals and that compostable bags were a good option. He stated that biodegradable bags were not a good option for the landfill because they need oxygen to decompose. He also stated that plastic bags never go away and they last for hundreds of years. He noted that fossil fuels take thousands of years to be created and they are used to create a product that is used a few times. He noted that the County of Los Angeles conducted a survey and found that it costs each consumer \$18 in hidden cost per year for plastic bags and it costs \$30 per year for paper bags in embedded costs. He suggested that one could buy six reusable bags for \$18. He stated that plastic bags were made from oil or natural gas and the true cost of plastic bags include the oil rigs off the coast. He shared a rendering he prepared of a clear cut forest in Oregon. He noted that he spoke with Josephine Miller, head of Sustainability at Santa Monica, and that she indicated she could count the number of complaints on one hand that she had received. He stated that no stores had declared financial hardship or asked for an exemption. He addressed bacteria found in reusable bags and stated that studies showed there was the same amount of bacteria in a salad bar at a local restaurant. He stated that he has used reusable bags for 25 years and he has never gotten sick. He also stated that if the City Council chooses to include a ban on paper bags in the ordinance that he would highly recommend 100 percent recycled paper in order to avoid clear cut forest problems.

Vice Mayor Stein stated that he liked the idea of using recycled paper for paper bags. He also stated that he believed small businesses should be exempt from a ban on paper bags. He spoke in support of phasing out plastic bags, conducting outreach, and finding avenues for replacing plastic bags. He suggested that large stores should be given a maximum of three months and that they be given leeway on paper bags. He spoke in support of Option 2 from the staff report and stated that he wanted to see a timeline of a year for the smaller stores. He also spoke in support of shortening the timeline for larger stores to get rid of the plastic bags and to allow them to phase out paper bags. He also spoke in support of stores offering an incentive for consumers who bring in a reusable bag.

Councilmember Armendariz noted that the City Council received much input from the business community. He mentioned that the owners of Clementine's Restaurant sent an email suggesting that this ban could potentially cost their restaurant \$1,000 per month. He stated that he was concerned with local economy as it relates to small businesses and that he wanted to prevent a competitive disadvantage placed on small businesses due to a decision made by the City Council. He expressed his appreciation for the work from Carpinteria Beautiful, Santa Barbara Channel Keepers, and Surfrider Foundation.

He stated that he would support a ban on plastic bags for large businesses and support a six month phase in period. He also stated that he was leaning toward exempting small businesses from any bans. He suggested that recyclable plastic bags would be a mandate that could be implemented in a 12-month period. He stated that he liked the idea of allowing stores to continue to use paper bags and making sure the bags are recyclable. He noted that the objective was to reduce bags from going into the waste stream. He stated that it would be difficult for him to ignore all the email and comments he received from the small business community.

Councilmember Reddington noted that the City of Malibu was celebrating three years of banning plastic bags from large and small businesses. She also noted that Malibu had a tourist base that respected the idea that plastic bags are banned. She stated that the businesses were able to adjust, they were able to educate the public, and they have been able to stay in business. She suggested that banning plastic and paper bags for all businesses and restaurants and utilizing paper for restaurants that are 100 percent recyclable paper would be the way she would like to go. She noted that riding a bicycle with a plastic bag was clumsy and awkward and the bag could break. She stated that she wanted the City of Carpinteria to be leaders in banning both plastic and paper bags.

Councilmember Carty noted that the first time plastic was used in a department store was in 1975 and that the first time plastic was used in a grocery store was in 1977. He stated that plastic bags were a true menace to the ecosystem and waste diversion goal. He noted that almost all plastic bags end up in the landfill or ecosystem and they cost taxpayers millions of dollars every year. He stated that in his opinion they needed to get rid of plastic bags. He also stated that as far as phasing them out for small businesses in Carpinteria that it should be done over a period of the next year, possibly keep 100 percent recyclable paper bags, and eliminate both plastic and paper in large businesses within three to six months.

Councilmember Reddington stated that she wanted to add the timeline and that she believed the ban could be done within three months for the larger businesses and six months for the smaller businesses.

Mayor Clark stated that he supported banning all single use plastic bags and paper bags at large stores and exempting small stores and restaurants. He also stated that he supported the use of recycled paper bags within three months for large stores and six months for small businesses. He expressed that he was interested in Option 2 to ban single use plastic bags at all stores and a ban on paper bags at large stores. He stated that he supported the use of recyclable paper bags made of 100 percent recyclable material for small stores and restaurants and that they be phased in at three and six months.

Councilmember Carty expressed concern with the reusable bags. He suggested that the City Council needed to determine the types of bags to ban, what the bags are made of, what the bags should be made of, and what size they should be. Councilmember

Reddington stated that she agreed. She suggested that the City Council also consider where these reusable bags would end up in the waste stream and that they should be as environmentally correct as possible. Councilmember Carty suggested holding one more workshop and conducting public education on how the ordinance is going to work. Councilmember Reddington suggested bringing in a consultant to the workshop to review what other cities have utilized in terms of bags.

Councilmember Armendariz inquired regarding Option 3 from the staff report where it addressed banning paper bags at large stores and not implementing a ban at smaller stores. He inquired how a small store would be defined versus a large store. City Manager Dave Durflinger responded that one comment made was to establish a 3,000 square foot threshold and anything larger would be a large store. He noted that there were four large stores in Carpinteria: Albertson's, Vons, CVS, and Rite-Aid. He also noted that the smallest was Rite-Aid at 5,000 square feet.

Councilmember Armendariz stated that he was not comfortable using square footage as a viable metric in terms of how a ban would be implemented. He suggested further review and community input on whether the metric should be square footage or gross sales. Councilmember Carty stated that he agreed and noted that McDonald's was a small business and also a huge business. Mayor Clark noted that it was also a restaurant. City Manager Dave Durflinger stated that there was an alternative model. He noted that square footage is not a bad model and it depended on the types of stores they had in the City. He also noted that the County of Los Angeles chose gross annual sales in implementing its threshold. Deputy City Attorney Beth Collins-Burgard noted that stores in the unincorporated area of the County of Los Angeles included full line self service retail stores with gross annual sales of \$2 million or more that sell a line of dry grocery, canned goods, or non-food items and perishable items; or a store of at least 10,000 square feet of retail space that generates sales or use tax. City Manager Dave Durflinger stated that staff could bring back examples of large stores versus small stores and gross annual sales versus square footage. He also stated that staff could provide a table that illustrates these differences.

Mayor Clark noted that there appeared to be direct interest in banning all single use plastic bags in all stores, banning paper bags at large stores, and allowing smaller stores to use paper bags that are 100 percent recyclable. Vice Mayor Stein noted that staff would come back with a few examples of how to judge the size of the stores and the volume. Councilmember Reddington stated that she would add that the City have one informal informative workshop as to the choices of bags and anything else that can be placed in the ordinance.

City Manager Dave Durflinger suggested that before the City Council forms a motion that there was a difference of opinion regarding a 12-month period for smaller businesses. He noted that there was a suggestion on three and six months for large and small businesses in terms of transition. He also noted that several Councilmembers mentioned 100 percent recycled content paper bags if stores are allowed to use paper

bags. He stated that staff would need to conduct further research on this option. Councilmember Armendariz suggested three months for a phase in period for large stores and 12 months for small stores. Councilmember Carty, Councilmember Reddington, and Vice Mayor Stein stated that they would be in favor of this suggestion.

City Manager Dave Durlinger summarized that Option 2 was the option of choice that would ban single use plastic bags at all stores and ban paper bags at only large stores; large and small stores to be defined later; and staff would bring back examples that illustrate how these would be separated out. He stated that the implementation period would be three months for large stores and 12 months for all other stores; paper bags that are allowed would ultimately be 100 percent recyclable and have the standard 40 percent post consumer content in terms of their make-up; and staff is to bring back information concerning acceptable reusable bags and bring back examples that other cities have used.

Motion by Vice Mayor Stein, seconded by Councilmember Carty, to approve staff's recommendation.

Upon voice vote, motion carried

COMMITTEE REPORTS: None

ADJOURNMENT

The meeting was adjourned at 8:51p.m. by Mayor Clark.

Al Clark, Mayor

ATTEST:

Fidela Garcia, CMC
City Clerk