

**City of Carpinteria  
City Council Minutes  
Regular Meeting  
Council Chambers  
Monday, July 23, 2012**

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**ROLL CALL**

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

Councilmembers present:

Councilmember Carty  
Councilmember Reddington  
Councilmember Armendariz (arrived at 5:35 p.m.)  
Vice Mayor Stein  
Mayor Clark

Staff members present:

Dave Durlinger, City Manager  
Peter Brown, City Attorney  
Fidela Garcia, City Clerk  
Steve Goggia, Senior Planner  
Erin Maker, Environmental Coordinator  
Charles Ebeling, Public Works Director/City Engineer/Traffic Engineer

**PLEDGE OF ALLEGIANCE**

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

**INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS**

1. Outstanding Community Partner Award Presentation to Ahmed Jahadhmy.

Councilmember Armendariz arrived at 5:35 p.m.

Mayor Clark presented an award recognizing Ahmed Jahadhmy as Outstanding Community Partner. Mr. Jahadhmy thanked the City Council and stated that he would receive the award on behalf of his associates who volunteer in countless community events, and on behalf of Albertson's who allows and encourages them to participate and be active in the community. He announced that Albertson's would have its grand-reopening on July 25, 2012.

The City Council congratulated and acknowledged Mr. Jahadhmy.

2. Informational Presentation Regarding Remediation of Kittie Bailard Well on Carpinteria Avenue Bluffs.

Peter Brown, City Attorney was noted as leaving the meeting as the City Council took up the matter of the Kittie Bailard Well. He later declared having left due to a conflict of interest.

Steve Goggia, Senior Planner, provided a presentation of the Remediation of Kittie Bailard Well on Carpinteria Avenue Bluffs Preserve which will deal with an oil seep. He stated that information was brought to the City by the Department of Oil, Gas, and Geothermal Resources (DOGGR). He also stated that staff met with representatives of ConocoPhillips and their contractors to create a phased program to investigate whether the oil seep is a remnant of the Kittie Bailard Well or whether it is a natural oil seep. He noted that the City issued a coastal development permit for this investigation.

Maggie Cox, representing ConocoPhillips, introduced Bill Borg from ConocoPhillips and Mark Davis from ATC. She stated that they have been working on this issue since December 2011 when the oil seep was reported to DOGGR. She also stated that the oil seep is in proximity to a well that was drilled in the 1920s by Continental Oil. She noted that the well was properly abandoned and that the plan is to go back in and make a determination. She stated that assessment work would begin in August and she provided copies of fact sheets to the City Council.

Bill Borg, Area Manager for Conoco Phillips, stated that ConocoPhillips, City staff, DOGGR, and Santa Barbara County Fire Department have developed an extensive comprehensive plan. He also stated that they would conduct excavation of a 5' by 10' area with the removal of less than 300 cubic feet of material. He noted that part of the plan includes a very restrictive and prescriptive journey management plan to limit the amount of people and equipment that will be in this area. He also noted that they will conduct a biological survey prior to entering the area, an archeological survey, and they will have Native-American representation when conducting the excavation. He stated that it would take a week to conduct these activities followed by restoration activities which would take another week to complete. He also stated that work would be conducted Monday through Friday and the area will be secured with chain-link fencing.

Bruce Henson, representing DOGGR, spoke regarding the original abandonment of the well.

**PUBLIC INFORMATION REPORTS AND ANNOUNCEMENTS:** None.

**CITY MANAGER'S REPORT**

- Ribbon-cutting for the remodel of Albertson's and Casitas Plaza Shopping Center on July 25 at 10:00 a.m.

- Linden/Casitas Interchange Design Review Team meeting on August 29
- Traffic Safety Committee meeting on August 16 to consider investigation of the Oggen Road area and other matters
- City monthly newsletter, The Advance, will be made available on an email subscription basis. Contact the receptionist at City Hall at 684-5405.
- City has hired a new Management Analyst for the Public Works Department, Cyndi Marie Vestal, who will begin in August.
- Creek clean-up scheduled July 27 at 9:00 a.m. Additionally, the City is seeking creek monitoring volunteers. People may contact Erin Maker in the Public Works Department 684-5405, extension 415.
- Junior Lifeguard Program Open Lifeguard Competition on August 1 beginning at 9:30 a.m.

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

Patricia Bartoli-Wible thanked the City for hosting the upcoming CERT training on July 24 in the Council Chambers. She invited the City Council and the community to attend.

Pat Kistler, Carpinteria Valley Chamber of Commerce, invited everyone to their mixer at Lagunitas on July 25 from 5:30 to 7:30 p.m. She noted that First Friday on August 3 would include Chalk the Walk from 5:00 to 8:00 p.m.

**AGENDA MODIFICATIONS:** None.

### **CONSENT CALENDAR**

Motion by Vice Mayor Stein, seconded by Councilmember Carty to approve the Consent Calendar with the attached ordinance as read by title only.

Upon voice vote, motion carried.

3. Minutes of the Special Minutes of the Meeting Held June 14, 2012
4. Minutes of the Regular Meeting Held June 25, 2012 and Minutes Regular Meeting held July 9, 2012
5. Expenditures for the Period Ending July 18, 2012
6. Destruction of Certain Accounts Payable, Payroll, Cash Receipts, and Business License Records
7. Second Reading and Adoption of Ordinance No. 657, as Read by Title Only and Waiving Further Reading, \_Amending Chapter 8.51 of the Carpinteria Municipal Code Pertaining to the Regulation of Single-Use Bags

8. Amendment to the Employment Agreement for the City Manager, Effective July 23, 2012

**ADMINISTRATIVE MATTERS:** None

**OTHER BUSINESS:**

9. Temporary Extension of Solid Waste Agreement

Recommendation: That the City Council authorize a temporary extension of the current Solid Waste Franchise Agreement with E.J. Harrison and Sons, Inc.

Erin Maker, Environmental Coordinator, presented the staff report.

No public comment.

Motion by Vice Mayor Stein, seconded by Councilmember Carty, to approve the temporary three-month extension of the current Solid Waste Franchise Agreement with E.J. Harrison and Sons, Inc.

Councilmember Reddington inquired regarding the status of weekly pick-up of recyclables and greenwaste. Ms. Maker responded that this was an item under current negotiations.

Upon voice vote, motion carried.

10. Final Acceptance of Public and Private Improvements for the Chevron Soil Remediation Project and the ConocoPhillips Lot Split Project

Recommendation: That the City Council accept public and private improvements for the Chevron Soil Remediation Project and the ConocoPhillips Lot Split Project and release the performance bonds and cash deposit securities as described in the staff report

Peter Brown, City Attorney, declared a conflict of interest and would recuse himself because he owns stock with ConocoPhillips. He also noted that he declared a conflict of interest on the item heard earlier in the evening regarding the Kittie Bailard Well.

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

Dave Durlinger, City Manager, stated that a policy decision is anticipated to be made by the City Council for the release of sureties. He noted that currently the code indicates that these matters are to come before the City Council on the Consent Calendar regardless of the amount. He also noted that there would be some staffing decisions to be made for Public Works Department staffing and organization.

No public comment.

Motion by Vice Mayor Stein, seconded by Councilmember Carty, to accept public and private improvements associated with the Chevron Soil Remediation Project and ConocoPhillips Lot Split Project and release the associated performance bonds and cash deposit securities as described by staff.

Upon voice vote, motion carried.

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

Councilmember Reddington reported that the Linden/Casitas Interchange Design Review Team would meet on August 29 to codify some of the things they reviewed aesthetically. She invited the public to attend this last meeting. She noted that the Design Review Team did not discuss the size of the freeway bridges. She expressed her desire for the Design Review Team to hold additional meetings in order to meet with Caltrans and Santa Barbara County Association of Governments to come up with more concrete recommendations. She stated that the Board of Supervisors would be considering charging for parking at the Rincon. She expressed her opinion that charging for parking in this area would be a disservice to people who visit this area and she suggested that the City Council write a letter to the Board of Supervisors. She inquired regarding the Governor's Office budget cut for the announcement of the agenda. City Attorney Peter Brown responded that this was a State mandate reimbursement issue. He noted that several portions of the Brown Act are reimbursable under State mandate and local agencies should be reimbursed by the State for the cost of compliance with the Brown Act; however, there has been very little reimbursement. He stated that in the most recent budget bill there was an expressed statement that since the State did not plan to reimburse that local agencies did not need to comply with certain elements of the Brown Act relating to noticing of meetings. He also stated that the City Attorneys Working Group of the League of California Cities have recommended that local agencies continue with the portions of the Brown Act. He stated that the City Attorney's Office was not in a position to advise the City Council to not comply with portions of the Brown Act and that he would provide additional information to the City Council.

City Manager Dave Durlinger announced that the Fire District Committee would meet on July 30 where they will consider the Wild Fire Plan of the District and the District's Development Impact Fee Annual Report.

Councilmember Reddington noted that the next City Council Meeting would be held August 27, 2012. She wished everyone a happy summer.

**ADJOURNMENT**

The meeting was adjourned at 6:30 p.m. by Mayor Clark.

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Al Clark, Mayor

ATTEST:

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Fidela Garcia, CMC  
City Clerk