

City of Carpinteria
City Council Regular Meeting Agenda
Monday, March 24, 2014
Council Chamber, 5775 Carpinteria Avenue, Carpinteria

4:15 p.m. Closed Session – 5:30 p.m. Regular Session

INFORMATION ABOUT CITY COUNCIL MEETINGS:

- The time at which an item on the agenda is scheduled to be heard is an estimate only. The City Council may consider and act on an agenda item in any order it deems appropriate. In addition, an item may be considered earlier or later than the Estimated Time, depending on the length of time which is devoted to other agenda items. All persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure that they are present when the item is called.
- The regular meeting will be broadcast live over Government Access Television Channel 21. The City Council meetings will be rebroadcast on Wednesdays at 8:00 p.m. and Saturdays at 5:00 p.m.
- Materials related to an Agenda item submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 5775 Carpinteria Avenue, Carpinteria, during normal business hours. Such documents are also available on the City of Carpinteria website at www.carpinteria.ca.us subject to staff's ability to post the documents before the meeting.
- Any written or printed material and/or exhibits presented at a City Council meeting or work session become the property of the City.
- Any information presented to the City Council by the public on any agenda item and during Public Comment using electronic media to be displayed on the overhead projector must be arranged with staff for review of materials in advance of the meeting and no later than close of business Wednesday prior to the Council meeting.
- As a courtesy to others and to avoid interference with the public address system, please refrain from using cell phones in the Council Chambers and please turn off all audible pagers and rings.
- If you wish to speak on a matter scheduled for consideration in a closed session, you will have an opportunity to address the City Council before the Council retires to its closed session deliberations.

**ESTIMATED
TIME:**

4:15 p.m.

CALL TO ORDER

ROLL CALL

PUBLIC COMMENT ON CLOSED SESSION

CLOSED SESSION

1. Conference with Real Property Negotiator(s) – Government Code Section 54956.8

Property: Assessor's Parcel No. 004-105-015. Property located on Linden at the railroad.

Negotiating Party/Property Owner: Uppe's Garden, LLC (Lessee) / City of Carpinteria (lessor)

Agency Negotiators: Matt Roberts, Parks and Recreation Director; Jena Shoaf, Deputy City Attorney, and Peter Brown, City Attorney.

Under Negotiation: price and terms of payment.

2. Conference with Labor Negotiator(s) – Government Code Section 54957.6

City Negotiator(s): Arlene Balmadrid, Human Resources Director, Dave Durflinger, City Manager, Jeffrey Dinkin, Attorney

Employee Organization: Service Employees International Union (SEIU) Local 620

TEMPORARY ADJOURNMENT TO CLOSED SESSION

5:30 p.m.

CALL BACK TO ORDER

CLOSED SESSION REPORT

5:31 p.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

5:32 p.m.

INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS

1. Proclamation designating the month of April as Carpinteria Beautiful.
2. Presentation by Carpinteria Unified School District Representative on their facilities master plan.

5:45 p.m. **PUBLIC INFORMATION REPORTS AND ANNOUNCEMENTS**

5:47 p.m. **CITY MANAGER'S REPORT**

The City Manager will report to the City Council regarding various City and/or community events and/or matters of interest. There will be no City Council discussion except to ask questions or refer matters to staff; and no action will be taken unless listed on a subsequent agenda.

6:00 p.m. **PRESENTATIONS BY CITIZENS/PUBLIC COMMENT**

This is a time for public comments on matters not otherwise on the agenda but within the subject matter jurisdiction of the City Council. The Public Comment period is limited to 15 minutes and divided among those persons desiring to speak. No person shall speak longer than three minutes; however, the Mayor may establish shorter periods based on the time available and/or the number of persons waiting to speak. Persons wishing to speak on a specific item will be recognized at the time the agenda item is considered.

Please be aware that items on the consent calendar are considered to be routine and are normally enacted by one unanimous vote of the Council. If you wish to speak on a consent calendar item, or on a matter scheduled for consideration in a closed session at the end of the agenda, please do so during the Presentations by Citizens/Public Comment portion of the meeting.

The City and the City Council are not responsible for the content of statements made during the public comment period, or the factual accuracy of any such statements.

AGENDA MODIFICATIONS: The City Council may modify the regular agenda by tabling items, adding urgency items to the agenda, or changing the order in which items are considered. Changes to the Consent Calendar are considered at the time the Consent Calendar is considered.

6:15 p.m. **CONSENT CALENDAR (to be approved by roll call vote on one motion with all resolutions and ordinances as read by title only).**

Individual items may be removed and considered separately at the request of a Councilmember. Any item, which is removed from the Consent Calendar, will be added to the end of the agenda under Other Business.

3. Minutes of the regular meeting held March 10, 2014 and special joint meeting of the City Council and Planning Commission held November 4, 2013.
4. Expenditures for the period ending March 17, 2014.
5. Resolution No. 5505 entitled, A Resolution of the City Council of the City of Carpinteria Ordering the City Manager to Prepare an Assessment Diagram, Plans, Specifications, Estimate and Report, Pursuant to the Provisions of Division 14, Part 1, Street and Highways Code, Street Lighting Act of 1919, as amended, for the Furnishing of Electric Current for the Maintenance of Certain Lighting Fixtures and Appliances in all Portions of the City in Street Lighting Assessment District No. 1 for the Period Beginning July 1, 2014 and ending in June 30, 2015.
6. Resolution No. 5506 entitled, A Resolution of the City Council of the City of Carpinteria Ordering the City Engineer to Prepare and File a Report in Accordance with Chapter 3, Part 2, Landscaping and Lighting Act of 1972, Commencing with Section 22620, California Streets and Highways Code, for the Purpose of Considering the Levy of an Assessment for the Fiscal Year 2014-15, Carpinteria Lighting, Landscaping and Right-of-Way Improvement District No. 3.
7. Resolution No. 5507 entitled, A Resolution of the City Council of the City of Carpinteria Ordering that a Report be Prepared in Accordance with Chapters 3 and 4 of the "Parking and Business Improvement Area Law of 1989" of the California Streets and Highways Code, as Amended, Commencing with Section 36500, for the Acquisition, Construction or Maintenance of Parking Facilities and Other Eligible Improvements and Business Promotion Activities in the Central Business District of the City of Carpinteria, for Fiscal Year Commencing July 1, 2014 and Ending June 30, 2015, Carpinteria Parking and Business Improvement Area District No. 4.
8. Resolution No. 5508 entitled, A Resolution of the City Council of the City of Carpinteria Initiating Proceedings to Set the Annual

Assessment for Assessment District No. 5, Pursuant to the Municipal Improvement Act of 1913.

9. Resolution No. 5514 entitled, A Resolution of the City Council of the City of Carpinteria Authorizing the Filing of a Claim with the Santa Barbara County Association of Governments for Allocation of Transportation Development Act Fund for Fiscal Year 2013-14.

ADMINISTRATIVE MATTER: NONE

PUBLIC HEARING: NONE

OTHER BUSINESS:

- 6:18 p.m.
10. Consider Review of Home Sales Prices and Adjusting the In-Lieu Affordable Housing Fee Pursuant to Carpinteria Municipal Code §14.75, Inclusionary Housing Requirement

Recommendation: Receive and file the report on the City's home Sales prices for 2013 and adopt Resolution No. 5513, as read by title only, setting the affordable housing in-lieu fees for condominiums and single family dwellings in 2014.

Staff presenter: Shanna Farley-Judkins, Assistant Planner and Jackie Campbell, Community Development Director

- a. Staff Report
- b. Public Comment
- c. City Council Determination

- 6:35 p.m.
11. Traffic Safety Committee Recommendations

Recommendation: Adopt Resolution No. 5515, as read by title only, approving the recommendations of the City's Traffic Safety Committee from its meetings of August 22, 2013 and February 6, 2014.

Staff presenter: Charlie W. Ebeling, Director of Public Works

- a. Staff Report
- b. Public Comment
- c. City Council Determination

- 6:50 p.m. 12. Contract with MNS Engineers, Inc. for Professional Engineering Services for the Ash Avenue Improvements Project

Recommendation: Authorize the Mayor to sign the agreement for professional engineering services with MNS Engineers, Inc. for the scope-of-work and cost in attachment A of the staff report.

Staff presenter: Charlie W. Ebeling, Director of Public Works

- a. Staff Report
- b. Public Comment
- c. City Council Determination

- 7:05 p.m. 13. Consider Letters in Support of State and Federal Moratoriums on Oil and Gas Well Stimulation Treatments, e.g. Hydraulic Fracturing or “fracing” Action on Fracking

Recommendation: Approve for the Mayor’s signature letters to state and federal officials advocating for moratoriums on oil and gas well stimulation treatments in California and on public lands and tidelands such as platforms located in the Pacific Outer Continental Shelf Region.

Staff presenter: Dave Durflinger, City Manager

- a. Staff Report
- b. Public Comment
- c. City Council Determination

7:25 p.m. **COMMITTEE REPORTS, INQUIRIES AND OTHER MATTERS PRESENTED BY COUNCILMEMBERS**

Informational reports from Councilmember representatives on the committees, commissions and organizations listed below. This is also an opportunity for Councilmembers to request information from staff or seek support from fellow Councilmembers for future agenda items.

- 1. Representatives to Regional Agencies and Committees
 - a. Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) (Shaw/Alt. Carty)
 - b. California Joint Powers Insurance Authority (CJPIA) (Clark/Alt. Shaw)
 - c. Channel Counties Division, League of California Cities (Nomura/Alt. Shaw)
 - d. Santa Barbara Association of Governments (SBCAG)(Clark/Alt. Nomura)

- e. Santa Barbara County Air Pollution Control District (APCD)(Clark/Alt. Nomura)
- f. Santa Barbara Joint Housing Task Group (Carty & Shaw)
- g. Central Coast Collaborative on Homelessness (C3H) (Carty)
- h. South Coast Task Force on Youth Gangs Leadership and Executive Council (Carty & Clark)

2. Joint and Standing Committees

- a. City Council/Chamber of Commerce Board of Directors Committee (Carty & Nomura)
- b. City Council/Public Safety Committee (Clark & Shaw)
- c. City Council/School Board Committee (Stein & Carty)
- d. City Council/Utilities Committee (Stein & Nomura)
- e. City Council/First District Supervisor Committee (Stein & Carty)
- f. City Council Finance/Budget Committee (Stein & Clark)

3. Ad Hoc Committees

- a. Public Facility Site Acquisition/Development Committee (Carty & Nomura)
- b. Transportation Committee (Stein & Shaw)
- c. Labor Relations Committee (Wade & Shaw)

4. City Representatives on other Committees

- a. Community Media Access Center (Gary Dobbins)
- b. Santa Barbara Coastal Vector Control District (Ronald Hurd)
- c. Santa Barbara Metropolitan Transit District (Chuck McQuary)

ATTENDANCE OF COUNCILMEMBERS FOR FUTURE MEETINGS

7:30 p.m.

ADJOURNMENT

The next regular meeting to be held on **Monday, April 14, 2014**, at **5:30 P.M.**, in the Council Chamber, City Hall, 5775 Carpinteria Avenue, Carpinteria, California.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk's Office at 684-5405, extension 403 or the California Relay Service at (866) 735-2929. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements for accessibility to this meeting.

This agenda was posted on Wednesday, March 19, 2014, in the City Clerk's Office, on the City Hall Public Notices Board, and on the Internet.

PROCLAMATION

**A PROCLAMATION OF THE CARPINTERIA CITY COUNCIL
DESIGNATING THE MONTH OF APRIL, 2014,
AS "CARPINTERIA BEAUTIFUL MONTH"**

WHEREAS, the month of April is recognized nationwide as Keep America Beautiful Month; and

WHEREAS, since 1992, the month of April has additionally been proclaimed as Carpinteria Beautiful Month and celebrated by the downtown display of the Carpinteria Beautiful banners; and

WHEREAS, the City will host the annual Household Goods and Hazardous Waste Disposal Day on April 12th for residents to dispose of their unwanted goods; and

WHEREAS, on April 25th cities across America will observe National Arbor Day, and Carpinteria will participate by renewing our commitment to maintaining a vigorous and beneficial urban forest; and

WHEREAS, April 22nd, Earth Day celebrations will provide opportunities to learn about and to renew our dedication to preserving a healthy and safe environment; and

WHEREAS, throughout the month of April, Carpinteria Beautiful Adopt-a-Spotters will redouble their already considerable efforts to keep Carpinteria graffiti-free and litter-free, and

WHEREAS, in the month of April Carpinteria's colorful bus benches will receive their annual refurbishment by volunteers from Carpinteria Beautiful and the communities youth, and

WHEREAS, the annual Carpinteria Beautiful Home & Garden tour, this year to take place on April 26th, will showcase the beauty, diversity and pride found in our residential neighborhoods.

NOW, THEREFORE, I, J. Bradley Stein, Mayor, on behalf of the Carpinteria City Council, do hereby proclaim the month of April, 2014, as

"CARPINTERIA BEAUTIFUL MONTH"

and urge all residents to share in the observance of this month by joining with neighbors, business associates, church groups, service clubs, youth organizations and others to take part in community beautification activities and by making a personal commitment to enhance the beauty of their own properties and neighborhoods for the benefit and enjoyment of all.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Carpinteria, California to be affixed this 24th day of March, 2014.

Mayor, City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

**City of Carpinteria
City Council Minutes
Regular Meeting
Council Chambers
Monday, March 10, 2014**

CALL TO ORDER

Mayor Stein called the meeting to order at 5:30 p.m.

ROLL CALL

Councilmembers present:

Councilmember Wade Nomura
Councilmember Fred Shaw
Councilmember Al Clark
Vice Mayor Gregg Carty
Mayor J. Bradley Stein

Staff members present:

Dave Durflinger, City Manager
Peter Brown, City Attorney
Fidela Garcia, City Clerk
Charles Ebeling, Public Works Director
Shanna Farley-Judkins, Assistant Planner
Jackie Campbell, Community Development Director
Matt Roberts, Parks and Recreation Director

PLEDGE OF ALLEGIANCE

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

INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS

1. Proclamation designating the month of March as Community Service Month and recognizing various service groups of the community for their numerous and ongoing contributions to the Carpinteria community and the greater society.

Mayor Stein recognized Jeff Morehouse, Clyde Freeman, Mike Gillian, John Serta, Myron Shann, Roland Rotz, Dave Durflinger, Wade Nomura, and Debbie Murphy who serve on many volunteer organizations and service groups including the Lions Club, Kiwanis, Club, Masonic Club, Noon Rotary Club, and Morning Rotary Club. He read the proclamation designating the month of March as Community Service Month.

2. Carpinteria Beautiful and Lions Club donations.

Donna Jordan and members from Carpinteria Beautiful, and Jeff Morehouse and members of the Lions Club presented checks totaling \$2,750.00. Ms. Jordan spoke regarding the Commemorative Plaque Program, which collects donations to use towards planting new trees. Mr. Morehouse spoke regarding community fundraising efforts. Ms. Jordan challenged the City Council to match the donation in next year's budget.

PUBLIC INFORMATION REPORTS AND ANNOUNCEMENTS

Councilmember Shaw announced that HopeNet of Carpinteria would hold a suicide prevention workshop on March 26 at 7:00 p.m. at the Women's Club where Dr. Lisa Firestone will lead the program.

CITY MANAGER'S REPORT

Charles Ebeling, Public Works Director, reported that the Public Works Department is working on the Carpinteria Avenue Bridge Replacement at Carpinteria Creek Project. He stated that the Public Works Department conducted preliminary investigations on the bridge to gather geotechnical information for the bridge foundations. He noted that the preliminary design phase would commence in April and two neighborhood meetings would be held. He stated that letters and flyers would be sent to businesses and residents in the vicinity of the bridge. He also presented the logo for the project.

PRESENTATIONS BY CITIZENS / PUBLIC COMMENT

Charles Hamilton, Carpinteria Water District Director, accompanied by Rhonda Gutierrez, Engineering Technician and Water Conservation Specialist, reported that there were still no plans for delivery of State water to the area; however, the State Water Project was still ongoing. He stated that there was still an ongoing attempt to bring some water through these facilities to the area. He also stated that recent rainfall was not enough and the area was still experiencing a very dry year. He reminded everyone to shut off their landscape irrigation systems even after the recent rains and wait until the soil is dry before irrigating their landscaping.

Corey Campbell asked the City Council to place an item on the agenda to address light pollution at night in Carpinteria.

Anne Bardock Lesser also asked that the issue of light pollution at night be placed on the agenda. She noted that a recent article appeared in the Carpinteria Coastal View News (CVN) regarding night pollution, which is becoming an emerging issue on the environment. She addressed concerns with the area on the foothills with untarped grow fields, and she noted that the County Supervisors were looking into this issue. She

stated that night pollution disturbs people's sleep and there is a rise in cancer. She suggested that this issue should be addressed now because Santa Barbara County and Carpinteria still have some dark sky that can be preserved. She submitted articles from Men's Journal and CVN for the Council's consideration.

Vera Benson also spoke regarding night light pollution. She noted that she has spoken to representatives from the industrial park on the bluffs for many years asking them to shade their lights. She also noted that the industrial park above them have made efforts to shade the lighting. She asked the City Council to partner with the County Board of Supervisors regarding this issue. She noted that the City's General Plan area of interest says the City has an active interest in collaborating with the County on the use and development of land within the sphere of influence that directly affects Carpinteria residents.

Mayor Stein stated that he would meet with City Manager Dave Durlinger to discuss this issue.

Pat Kistler, Carpinteria Valley Chamber of Commerce, announced the following events: Business at Breakfast with Island Brewing as the sponsor on March 14; Business After Hours Mixer at the Carpinteria Water District on March 27 at 5:00 p.m.; preview of Trip to Austria and Germany at Shepherd's Place Apartments on March 28; Green House Tour on March 29; April Business After Hours Mixer at the Holiday Inn Express to be catered by Rincon Beach; and State of the Community on April 29 at 7:30 a.m.

AGENDA MODIFICATIONS: None

CONSENT CALENDAR

Motion by Councilmember Shaw, seconded by Councilmember Clark, to approve the Consent Calendar and resolutions as read by title only.

Upon voice vote, motion carried unanimously.

3. Minutes of the regular meeting held February 24, 2014.
4. Expenditures for the period ending March 4, 2014.
5. Resolution No. 5510, A Resolution of the City Council of Carpinteria Ratifying the Carpinteria-Summerland Fire Protection District's Ordinance No. 2013-01.

ADMINISTRATIVE MATTER:

6. Adoption of Resolution No. 5504, Making an Appointment to Fill a Vacancy on the Architectural Review Board

Recommendation: Adopt Resolution No. 5504, as read by title only, making an appointment to fill the Architectural Review Board vacancy.

Fidela Garcia, City Clerk, presented the staff report.

No speaker cards were submitted.

Motion by Mayor Stein, seconded by Councilmember Clark, to adopt Resolution No. 5504, as read by title only, to make the appointment of Dylan Chappell to fill the Architectural Review Board vacancy.

Upon voice vote, motion carried unanimously.

PUBLIC HEARING:

7. Measure A Five-Year Local Program of Projects for Fiscal Years 2014/15 to Fiscal Years 2018/19

Recommendation: Adopt Resolution No. 5503, as read by title only, approving the Measure A Five Year Local Program of Projects for Fiscal Years 2014/15 to 2018/19.

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

Mayor Stein opened the Public Hearing at 5:57 p.m.

There were no Public Comments.

Mayor Stein closed the Public Hearing at 6:03 p.m.

Motion by Councilmember Shaw, seconded by Councilmember Nomura, to adopt Resolution No. 5503, as read by title only, approving the Measure A Five Year Local Program of Projects for Fiscal Years 2014/15 to 2018/19 with the amended Exhibit D spreadsheet.

Roll call on motion:

Ayes: Clark, Carty, Nomura, Shaw, Stein

Noes: None

Abstain: None

Motion carried.

OTHER BUSINESS:

8. Review of the 2013 Annual Report to the State Department of Housing Community Development on the Status of the Housing Element and Progress on Implementation of Its Goals, Policies and Objectives

Recommendation: Receive and accept the Annual Report on the Housing Element Program implementation and direct the Community Development Director to submit the document to the State Department of Housing and Community Development.

Shanna Farley-Judkins, Assistant Planner and Jackie Campbell, Community Development Director, presented the staff report and PowerPoint presentation.

There were no Public Comments.

Motion by Councilmember Clark, seconded by Councilmember Nomura, to receive and accept the Annual Report on the Housing Element Program implementation and direct the Community Development Director to submit the document to the State Department of Housing and Community Development.

Upon voice vote, motion carried unanimously.

9. Award of a Construction Contract in the Amount of \$189,831.00 to Construct the Seaside Park Project Located at 5102 Carpinteria Avenue

Recommendation: Adopt Resolution No. 5509, as read by title only, appropriating funds for the Seaside Park Project; and Authorize the City Manager to execute a construction services contract with DPM Construction Company in the amount for \$189,831.00 subject to providing all required insurance and other submittals for the Seaside Park project.

Matt Roberts, Parks and Recreation Director, presented the staff report and PowerPoint presentation.

Councilmember Nomura inquired regarding the plan to move the bus stop and whether trellis work would be included. Mr. Roberts responded that this work was not currently included in the project. He noted that there is an existing bus stop around the corner on Maple and the thought was that there is plenty of trellis work on the building. He also noted that additional trellis work could be included at a later time, and there would be two sustainable hard wood bus benches installed. Councilmember Nomura inquired regarding the removal of street trees to keep a view corridor and whether these trees would be replaced. Mr. Roberts responded that the idea of removing one of those trees was brought before the Tree Advisory Board and they advised keeping the trees for now and revisit after the project is built.

Councilmember Clark inquired regarding the rationale for tree removal on the other side of the project site. Mr. Roberts responded that there were a variety of pine trees and a

large ash along the southern boundary of the property. He stated that the project originally looked at removal of the pine trees to have an access way to the grass area by the Veterans Building. He noted that the Architectural Review Board requested a tree report from an arborist who deemed that the Canary Islands pines were dangerous and needed be removed because one of the trees has a split trunk and is susceptible to topping over during wind. He stated that six trees would be removed and replaced with six native Memorial Oak trees. He also stated that a damaged ash tree with overgrown roots would be removed.

There were no Public Comments.

Motion by Councilmember Shaw, seconded by Councilmember Nomura, to adopt Resolution No. 5509, as read by title only, appropriating funds for the Seaside Park Project; and Authorize the City Manager to execute a construction services contract with DPM Construction Company in the amount for \$189,831.00 subject to providing all required insurance and other submittals for the Seaside Park project.

Councilmember Nomura asked to revisit the bus stop trellis work. Councilmember Carty asked to look at the condition of the existing trellis.

Motion amended by Councilmember Shaw, seconded by Councilmember Nomura, to look at adding the existing trellis and installing it where the bus stop is located as a change order to the project.

Upon voice vote, motion carried.

10. Adoption of Resolution No. 5511, Implementing Government Code §66427.5, Concerning Mobile Home Park Subdivision Survey Requirements

Recommendation: Adopt Resolution No. 5511, as read by title only, implementing Government Code §66427.5.

Dave Durlinger, City Manager, presented the report.

Peter Brown, City Attorney, noted there has been much litigation on this issue in the past five years because the law was very unclear on how mobile home park subdivision surveys could be used. He stated that changing a mobile home park into a subdivision takes the park out of rent control. He also stated that this legislation would protect the City's mobile home rent control ordinance and allow the City to have a full review of proposed subdivision for mobile home parks.

There were no Public Comments.

Motion by Councilmember Clark, seconded by Councilmember Shaw, to adopt Resolution No. 5511, as read by title only, implementing Government Code §66427.5.

Upon voice vote, motion carried.

11. Authorization of Scope of Services and Budget Appropriation for an Update to the City's Development Impact Fee and Capital Improvement Programs

Recommendation: Authorize the Department of Public Works to solicit proposals for updating the City's Development Impact Fee and Capital Improvement Programs and appropriate \$150,000 from the Available Fund Balance.

Charles Ebeling, Public Works Director, presented the staff report.

There were no Public Comments.

Motion by Councilmember Clark, seconded by Councilmember Nomura, to authorize the Department of Public Works to solicit proposals for updating the City's Development Impact Fee and Capital Improvement Programs and appropriate \$150,000 from the Available Fund Balance.

Upon voice vote, motion carried.

12. Adoption of Resolution No. 5512, Forming and Selecting Members for a 50th Anniversary Ad Hoc City Council Committee

Recommendation: Adopt Resolution No. 5512, as read by title only, thereby forming and selecting members for a 50th anniversary ad hoc City Council Committee

Dave Durlinger, City Manager, presented the staff report.

There were no Public Comments.

Motion by Councilmember Shaw, seconded by Councilmember Clark, to adopt Resolution No. 5512, as read by title, thereby forming and selecting Councilmember Nomura and Vice Mayor Carty for a 50th anniversary ad hoc City Council Committee.

Upon voice vote, motion carried.

13. Letter of Support Related to the California Intercity Passenger Rail Program, i.e., Amtrak California Service.

Recommendation: Approve for the Mayor's signature a letter to the Los Angeles-San Diego-San Luis Obispo Rail Agency (LOSSAN) requesting the City of Carpinteria be included in the list of agencies supporting appropriate and stable funding for California's Intercity Passenger Rail Program.

Dave Durflinger, City Manager, presented the staff report.

Scott Spaulding, representing Santa Barbara County Association of Governments, presented examples of what would be presented in Sacramento on March 19. He noted that Senator Hannah-Beth Jackson was the Chair of the Select Senate Rail Committee.

Motion by Councilmember Clark, seconded by Councilmember Shaw, to approve for the Mayor's signature a letter to the Los Angeles-San Diego-San Luis Obispo Rail Agency (LOSSAN) requesting the City of Carpinteria be included in the list of agencies supporting appropriate and stable funding for California's Intercity Passenger Rail Program.

Upon voice vote, motion carried.

COMMITTEE REPORTS, INQUIRIES AND OTHER MATTERS PRESENTED BY COUNCILMEMBERS

Councilmember Shaw reported that he and Vice Mayor Carty attended a workshop at University of California Santa Barbara regarding the homeless. Vice Mayor Carty noted there are 60,000 homeless people in Los Angeles.

Mayor Stein reported that he and Councilmember Nomura attended the Utilities Committee meeting. He stated that everyone needed to conserve water, and noted that the Carpinteria Sanitary District was looking at options for reclaimed water.

ATTENDANCE OF COUNCILMEMBERS FOR FUTURE MEETINGS

All Councilmembers plan on being present at the next Council meeting.

ADJOURNMENT

The meeting was adjourned at 7:16 p.m. by Mayor Stein.

J. Bradley Stein, Mayor

ATTEST:

Fidela Garcia, CMC, City Clerk

**City of Carpinteria
City Council and Planning Commission
Minutes Special Joint Meeting
Council Chamber,
Monday November 4, 2013**

CALL TO ORDER

The meeting was called to order by Mayor Stein at 6:30 p.m.

ROLL CALL

Councilmembers present:

Councilmember Fred Shaw
Councilmember Al Clark
Vice Mayor Gregg Carty
Mayor J. Bradley Stein

Councilmember Wade Nomura was absent.

Planning Commissioners Present:

Commissioner Glenn La Fevers
Commissioner John Moyer
Commissioner David Allen
Vice Chair Jane Benefield
Chair John Callender

Staff members present:

Dave Durflinger, City Manager
Peter Brown, City Attorney
Fidela Garcia, City Clerk
Jackie Campbell, Community Development Director
Steve Goggia, Senior Planner

CLOSED SESSION REPORT: No Closed Session held.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT

Geoff Stearns, resident of Silver Sands Village, expressed his concern that the project appeared to be a residential project with a mixed-use patina incompatible with the applicable research and industrial park zone. He stated that the project exceeds the 50,000 square foot total cap for build-out in that area, and the residential development nature might have the potential to undermine the industrial research/industrial park character of that area. He noted that staff indicated there was a potential for conflicts with residential owners who might not want to have the Bluffs Trail going through their backyards. He also noted that the same applicant had an approved and permitted 40,000 square foot professional office building on the same parcel that was never constructed and the permit expired in 2001. He spoke regarding the an 85,000 square foot Lagunitas office building which was submitted for conceptual review to the Architectural Review Board in May 2013 with a revised concept for a redesign to respond to current market demands for large commercial office space. He expressed his concern with the concept of mixed-use, particularly when referencing a live-work project such as the Lagunitas project. He noted that staff had expressed concern that a residential project at this location might push the other owners to abandon their commercial/industrial uses in favor of more residential use in that area. He stated that his question was how commercial development consistent with the General Plan should proceed and whether the proponent of a commercial/industrial park project should be able to demonstrate to the public's satisfaction that there is an identifiable owner/tenant of a commercial space that actually exists.

Rick Prussing, representing the Carpinteria Valley Association (CVA), stated that the CVA is not in favor of the proposed development. He indicated that the CVA's primary concerns was that approval of this proposal would encourage other owners in the Bluffs II to seek residential use, and CVA is concerned that residential use on the Bluffs II would have a negative impact on the public's use of the Bluffs Trail and the surrounding area.

Ted Rhodes stated that the architect for the applicant invited a number of people to look at his plans. He also stated that he understood CVA's concerns; however, there was also the long-standing belief that perhaps this was the wrong location for an industrial park/research and development park. He indicated that he was open to consider a change of use at this location.

The City Council/Planning Commission will meet for the following purpose:

1. Conceptual Review of a Mixed Residential/Industrial Research Park (office) Project on a 3.62-acre Lot; Property Located in the Carpinteria Bluffs II Planning Area at 6175 Carpinteria Avenue, APN 001-180-032; Property Zoned Industrial Research Park (M-RP); Case No. 13-1679-CON; Barton Myers Associates, Applicant

Recommendation: Receive public input and provide conceptual review and comments on the subject proposal.

Steve Goggia, Senior Planner, presented the staff report and PowerPoint presentation.

Vice Chair Benefield inquired why an application is accepted that is inconsistent with zoning and whether this project was presented to gauge the City Council and Planning Commissioner's thoughts on the project. Jackie Campbell, Community Development Director, responded that the City's concept review process is very broad and allows the applicant the opportunity to receive feedback from the Planning Commission and the City Council in a public forum so that public comments may also be considered. Dave Durflinger, City Manager, added that there is a public policy question with regard to land use, and staff makes a recommendation and defers to the policy makers to make a decision.

Chair Callender inquired regarding the wide range of square footage in the description of the project residential area. Mr. Goggia responded that he believed the reason was that the project is conceptual. He suggested it would be better to hear from the applicant on what he envisions for the types of units.

Councilmember Clark inquired how the jobs/housing balance methodology was determined for this project. Ms. Campbell responded that the jobs/housing balance was determined through a process with Santa Barbara County Association of Governments (SBCAG), which recently went through a Regional Transportation Plan and Sustainable Communities Strategy process on the heels of the Regional Housing Needs Assessment (RHNA) process. She explained that SBCAG conducted analyses on all of these long-range planning processes and their modeling systems on the ratio of jobs and housing. She noted that SBCAG looked at population, demographics, age of population, number of jobs, and jobs per household, then came up with a range of jobs to housing and consider this to be balanced. She stated that the effect would be to minimize commuting miles.

Councilmember Clark referred to CD-S6 - Implementation Policy 70 and inquired how the 311,018-square footage was determined. Mr. Goggia responded there was no equation to determine this number and that he imagined that some of the existing buildings at the time were considered and the policy makers liked that balance of square footage and the ratio of building to land. Councilmember Clark inquired what were the physical impacts that might determine such a number. Mr. Goggia responded that these could include view sheds, heights, and bulk of the buildings, and it was likely determined due to the square footage of the entire Bluffs II area at that time.

Barton Myers, applicant, noted that he has been in Carpinteria for 16 years and he designed two projects that were built. He provided a PowerPoint presentation of his mixed-use project proposal.

Vice Chair Benefield stated that the community cherishes mixed-use; however, she did not believe the project definition fits the use for the property. She also stated she believed Mr. Myers had some good ideas for a residential project; however, she also believed Mr. Myers would need to apply for a zone change and come up with some kind of development that the Planning Commission and City Council could review. She expressed concern whether Mr. Myers was appealing to existing residents or to potential residents and vacation rentals. She stated that she did not believe that the project represents the level of income that attracts people to Carpinteria or the existing residents. She suggested that Mr. Myers bring back a proposed for a zone change.

Commissioner Moyer expressed concern with the proposal presented because he envisioned the project would be for condominiums for the very entitled and not many of these people currently live in Carpinteria. He also expressed concern that the design concept would be an uphill battle. He suggested that Mr. Myers consider a rezoning if he wants to present a residential project. He stated that he would consider a usable commercial project coupled with workforce and moderate income housing to a respectable percentage and a certain amount of high-end condominiums.

Commissioner Allen stated that he agreed with staff's analysis and with the Planning Commissioners who had spoken in that the best fit is either residential overlay or zoning change, preferably residential zoning change. He expressed concern with the concept of mixed-use as applied to this property. He stated that he felt the Bluffs and this area are a precious resource and a beautiful asset. He expressed concern that the zoning that was put in place back in the 1960s was a mistake and they now have to live with it. He indicated that he could support a project with appropriate setbacks and protection of open space on the top of the Bluffs for the trail users. He stated that he believed the General Plan includes a policy that structures on the Bluffs shall not be visible on the beach. He also stated that he appreciated Mr. Myers' sensitivity to setting the structures back and using the land in a way that preserves views. Lastly, he stated that he did not see that this project fits with the current zoning; however, he had an open mind.

Commissioner LaFevers stated that he believed the project had too much residential units for the site with the current zoning, with what is currently on the Bluffs, and with what was envisioned for this section of Bluffs II as part of the entire Bluffs development planning process. He also stated that he supports the mixed-use concept; however, the current zoning and his concept for Bluffs II areas is that the focus should be a commercial/industrial research park and square footage to provide jobs and opportunities for businesses and workers in Carpinteria and surrounding areas. He suggested that the applicant focus on commercial/industrial for the project until such time as there is an interest to rezone the property.

Chair Callender expressed his appreciation for the presentation and noted it was important to consider the larger issues that were raised. He stated that this area is a beautiful site and is very significant to many Carpinterians. He also stated that in order for him to support what is predominantly a residential development in that area would be changes to zoning and the General Plan, which he believes would be more appropriate. He expressed concern with describing the project as mixed-use under current zoning. He stated that he would be interested in the idea of what would be involved in making a change to the zoning, and he would have difficulty supporting the current proposal at the present time due to the current zoning.

Councilmember Shaw stated that the current zoning and land use was designed to create jobs, and he did not see the use of more residences as opposed to commercial as a way of creating jobs as part of the overall plan for the City. He expressed concern with the domino effect if another owner in Bluffs II sells and seeks a rezoning. He noted that the most expensive house in Lagunitas is approximately \$900,000 and that area does not necessarily have many ocean views. He stated that he supposed most of the single family homes that would be in this project would likely be upwards of \$1.5 million, and the average income in the research and development sector is less than \$100,000 for a family. He indicated that he supposed the residential units for the project would be investment homes, summer homes, and vacation homes, and in his view these would not work with the idea of mixed-use workforce housing.

Vice Mayor Carty expressed his appreciation for the presentation. He stated that he heard several times that the City made a mistake in zoning the Bluffs and whether it should have been zone residential. He spoke in favor of mixed-use development and noted that it could work on this property. He stated that he had not formed a decision, and he wanted to have time to hear from the community. He also stated that he had an open mind to consider a project on the Bluffs.

Councilmember Clark thanked Mr. Myers for the presentation and stated that he believed he also had an open mind. He also stated that this was an exciting opportunity and he did not have a problem with residential use on the bluffs. He indicated that he believed it would make the most sense if S and S Seeds were to be changed to residential to have an enclave of the Bluffs Park and there would be people that occupy that area that could be more involved in the care and maintenance of the Bluffs. He stated that he liked the use of the site whether this was mixed-use or residential overlay. He indicated that he has been a strong supporter of very low-income housing in the City; however, he was also in support of diversity. He stated that he believed the project as presented was too big and has too much square footage; however, he liked the overall use of the site. He noted that the project meets many of the General Plan policies in respect to Bluffs development, and he was looking forward to seeing the process unfold and hear the community's thoughts.

Mayor Stein expressed concern that Mr. Myers had presented projects in the past and had gone through the process; however, the projects were never built. He stated that he did not see this project as a mixed-use, and he believed the downtown was better for mixed-use because people can walk and do their shopping. He also stated that he sees this project as weekend homes and he had no problem with that concept. He indicated that he agreed with Councilmember Shaw that this project would not be workforce housing or housing for 90 percent of the people who work in that area. He stated that he agreed with the Planning Commission's suggestion to consider a zoning change. He indicated that the City needed to be particular about what is developed in this area and should look at rezoning it for residential if they move forward with this project.

Mr. Myers stated that he believed the mixed-use combination of an office and a place to live would be ideal for this project.

Vice Chair Benefield suggested that Mr. Myers offer an application and staff could help find the appropriate numbers in order for Mr. Myers to apply for the appropriate zone.

Mayor Stein inquired whether the proposed concept meets the requirements for a mixed-use project. Mr. Durflinger responded that this was a conceptual review process and although Mr. Myers was seeking a definitive answer, the project is not designed to provide a definitive answer. He noted that the Planning Commission and the City Council provided individual comments and the developer would need to decide whether to enter the formal review process. He stated that staff could assist in preparing the application; however, ultimately it would be Mr. Myers and his group's decision to prepare an application for a mixed-use project and explore a land use amendment or zoning amendment process. He suggested it might be appropriate for the Planning Commission and the City Council to consider the entire Bluffs Plans for an appropriate change to its land use.

ADJOURNMENT

The meeting was adjourned at 8:20 p.m. by Mayor Stein.

J. Bradley Stein, Mayor

ATTEST:

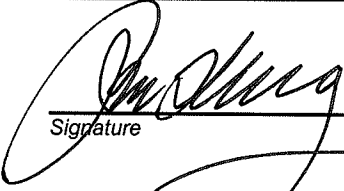
Fidela Garcia, CMC, City Clerk

STAFF REPORT
COUNCIL MEETING DATE
March 24, 2014

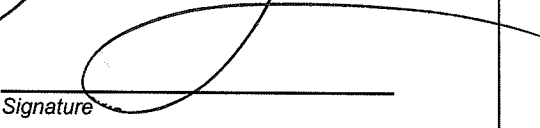
ITEM FOR COUNCIL CONSIDERATION

EXPENDITURES FOR THE PERIOD ENDING MARCH 17, 2014

Report prepared by: John Thornberry,
Administrative Services Director


Signature

Reviewed by: Dave Durflinger, City Manager


Signature

STAFF RECOMMENDATION

Action Item ☐; Non-Action Item ☒

That the City Council accept this report concerning the current list of warrants pursuant to Carpinteria Municipal Code 2.08.150(F).

I. DISCUSSION

As part of each regular City Council agenda, staff prepares the attached listing of checks dispersed with staff certification that the expenditure transactions listed in the warrant register have been reviewed and are within the budgeted appropriations. Staff recommends that the City Council ratify the schedule of demands attached.

II. FINANCIAL CONSIDERATIONS

The warrant register included as an attachment is designed to communicate fiscal activity since the previous regular City Council agenda. No further action of a fiscal nature is requested as part of this report.

III. ATTACHMENT

A. Warrant Register for the period ending March 17, 2014

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CITY OF CARPINTERIA
Warrant Register
March 5 - 17, 2014

Num	Date	Name	Memo	Account	Paid Amount
82534	03/06/14	A-OK POWER EQUIPMENT		1000101 · Operating Cash 10	
32431	01/16/14		PW SUPPLIES	2531308 · Supplies & Materials 31	(32.39)
35116	02/11/14		DOWNTOWN T	3332308 · Supplies & Materials 32	(329.38)
TOTAL					(361.77)
82535	03/06/14	AG ENT INC	INVOICE 13562	1000101 · Operating Cash 10	
13562	02/22/14		VIOLA BF TEST	2361221 · Miscellaneous Contracts	(80.00)
TOTAL					(80.00)
82536	03/06/14	ATT	ACCOUNT 030-149-5366-001	1000101 · Operating Cash 10	
030149536...	02/19/14		CIVIC CENTER	1013301 · Telephone 13	(617.92)
			PW	2531301 · Telephone 31	(27.55)
			BEACHES	2862301 · Telephone 62	(100.36)
			POOL	4866301 · Telephone 66	(110.20)
TOTAL					(856.03)
82537	03/06/14	BALMADRID, ARLENE	CELL PHONE - JAN 2014	1000101 · Operating Cash 10	
	03/01/14		CELL PHONE REIMBURSEMENT - JAN 2014	1016308 · Supplies & Materials 16	(65.00)
TOTAL					(65.00)
82538	03/06/14	BIG GREEN CLEANING COMPANY		1000101 · Operating Cash 10	
440216	02/01/14		CITY HALL	1013224 · Interior Maintenance	(805.00)
			VETS HALL	4865224 · Custodial Services	(725.00)
440219	02/01/14		ASH AVE	2861225 · Marsh/Bluffs Maintena...	(347.00)
			ROW	3332221 · Miscellaneous Contra...	(694.00)
			PARKS	2361221 · Miscellaneous Contracts	(1,390.00)
TOTAL					(3,961.00)
82539	03/06/14	BOB TRAUTZ LAND DEV CO, INC		1000101 · Operating Cash 10	
4891	01/10/14		MEMORIAL PARK	2361221 · Miscellaneous Contracts	(400.00)
4892	01/28/14		ASH TOWER REPAIR	2862308 · Supplies & Materials 62	(135.00)
4895	02/07/14		LINDEN FENCING	3100241 · Park Land Acquisition ...	(175.00)
4894	02/07/14		LINDEN FENCING	3100242 · Park Improvements DIF	(1,480.00)
4893	02/25/14		LINDEN FENCING	4200277 · Fees Quimby	(24,541.40)
4896	02/26/14		LINDEN FENCING	3100244 · Park Open Space DIF	(2,783.26)

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CITY OF CARPINTERIA
Warrant Register
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Num	Date	Name	Memo	Account	Paid Amount
TOTAL					(29,514.66)
82540	03/06/14	C & W CONSTRUCTION SPECIALTIES, INC	CLIENT # 647	1000101 · Operating Cash 10	
0023-14	02/17/14		ROW SUPPLIES	3332225 · ROW Maintenance 32	(2,859.50)
TOTAL					(2,859.50)
82541	03/06/14	CalPERS	MARCH 2014 HEALTH	1000101 · Operating Cash 10	
MAR 2014 ...	02/14/14		MARCH 2014 HEALTH	1051194 · Wellness 51	(4,558.35)
			MARCH 2014 HEALTH	1011194 · Wellness 11	(1,011.70)
			MARCH 2014 HEALTH	1012194 · Wellness 12	(1,834.02)
			MARCH 2014 HEALTH	1013194 · Wellness 13	(1,221.77)
			MARCH 2014 HEALTH	1014194 · Wellness 14	(4,249.00)
			MARCH 2014 HEALTH	1030194 · Wellness 30	(4,305.11)
			MARCH 2014 HEALTH	2531194 · Wellness 31	(3,665.31)
			MARCH 2014 HEALTH	1041194 · Wellness 41	(4,190.45)
			MARCH 2014 HEALTH	1042194 · Wellness 42	(1,408.65)
			MARCH 2014 HEALTH	1069194 · Wellness 69	(2,157.08)
			MARCH 2014 HEALTH	1022194 · Wellness 22	(2,161.59)
			MARCH 2014 HEALTH	2361194 · Wellness 61	(1,221.77)
			MARCH 2014 HEALTH	3332194 · Wellness 32	(2,161.59)
			MARCH 2014 HEALTH	1044194 · Wellness 44	(1,221.77)
			MARCH 2014 HEALTH	1000249 · Health Insurance Pre...	(298.21)
			MARCH 2014 HEALTH	1016196 · Health Insurance Surc...	(135.99)
			MARCH 2014 HEALTH	4868194 · Wellness 68	(469.91)
TOTAL					(36,272.27)
82542	03/06/14	CAMPBELL, JACQUELINE	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
CELL PHO...	03/01/14		CELL PHONE REIMBURSEMENT	1041308 · Supplies & Materials 41	(65.00)
TOTAL					(65.00)
82543	03/06/14	CARPINTERIA-SUMMERLAND FIRE DIST...	FEBRUARY 2014 FIRE FEES	1000101 · Operating Cash 10	
FEB 2014 F...	02/11/14		PROJ 1706	1000261 · Fire District Fees	(205.00)
TOTAL					(205.00)
82544	03/06/14	CARPINTERIA CARES FOR YOUTH	2013-2014 SERVICE GRANT	1000101 · Operating Cash 10	
SERV GRA...	02/11/14		2013/2014 SERVICE GRANT	1046211 · Carp Cares	(4,500.00)
TOTAL					(4,500.00)

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Num	Date	Name	Memo	Account	Paid Amount
82545	03/06/14	CARPINTERIA VALLEY LUMBER CO	ACCOUNT 164	1000101 · Operating Cash 10	
JAN 2014 B...	01/31/14		POOL	4866308 · Supplies & Materials 66	(10.19)
			BEACH	2862308 · Supplies & Materials 62	(6.59)
			CITY HALL	1013224 · Interior Maintenance	(17.82)
			VETS HALL	4865309 · Misc Operating Expen...	(26.64)
			PARKS	2361221 · Miscellaneous Contracts	(38.02)
			ROW	3332308 · Supplies & Materials 32	(7.77)
			PARKS	2361221 · Miscellaneous Contracts	(10.77)
			ROW	3332308 · Supplies & Materials 32	(2.15)
			ROW	3332308 · Supplies & Materials 32	(17.99)
			ROW	3332308 · Supplies & Materials 32	(6.04)
			PARKS	2361221 · Miscellaneous Contracts	(15.10)
			ROW	3332308 · Supplies & Materials 32	(109.10)
			BEACH	2862308 · Supplies & Materials 62	(6.89)
			PW SUPPLIES	2531308 · Supplies & Materials 31	(4.73)
			ROW	3332308 · Supplies & Materials 32	(32.40)
			PW SUPPLIES	2531308 · Supplies & Materials 31	(3.84)
			PW	2531308 · Supplies & Materials 31	(6.47)
			PW	2531308 · Supplies & Materials 31	(6.81)
			PW	2531308 · Supplies & Materials 31	(5.19)
			PW	2531308 · Supplies & Materials 31	(31.85)
			PW	2531308 · Supplies & Materials 31	(30.10)
			PW	2531308 · Supplies & Materials 31	(5.07)
TOTAL					(401.53)
82546	03/06/14	CARPINTERIA VETERINARY HOSPITAL INC		1000101 · Operating Cash 10	
209036	02/13/14		DOG LICENSE	1047303 · Printing & Advertising ...	(65.00)
209893	02/27/14		DOG LICENSE	1047303 · Printing & Advertising ...	(35.00)
TOTAL					(100.00)
82547	03/06/14	CENTRAL COAST IMAGING SOLUTIONS		1000101 · Operating Cash 10	
AR26579	02/25/14		COPIER MAINTENANCE	1018222 · Equipment Maintenance	(149.40)
AR26632	02/27/14		COPIER MAINTENANCE	1018222 · Equipment Maintenance	(127.44)
TOTAL					(276.84)
82548	03/06/14	CHALLENGE ASPHALT INC	INVOICE 3544	1000101 · Operating Cash 10	
3544	02/21/14		6TH STREET	2531220 · Street Maintenance 31	(4,150.00)
TOTAL					(4,150.00)

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Warrant Register
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Num	Date	Name	Memo	Account	Paid Amount
82549	03/06/14	CHANNEL ISLANDS DO IT BEST	10001	1000101 · Operating Cash 10	
JAN 2014 B...	01/31/14		POOL	4868308 · Supplies & Materials 68	(16.60)
			PW SHOP	3332308 · Supplies & Materials 32	(86.90)
			DOWNTOWN T	2923220 · Street Lighting	(63.09)
			BOAT YARD	2361221 · Miscellaneous Contracts	(42.75)
			VETS HALL	4865221 · Miscellaneous Contra...	(6.31)
			PW	2531308 · Supplies & Materials 31	(0.73)
			CITY HALL	1013224 · Interior Maintenance	(29.15)
			BEACH	2862308 · Supplies & Materials 62	(7.77)
			PARKS	2361221 · Miscellaneous Contracts	(6.31)
			ROW	3332308 · Supplies & Materials 32	(16.51)
			CITY HALL	1013224 · Interior Maintenance	(7.75)
			ROW	3332308 · Supplies & Materials 32	(4.37)
TOTAL					(288.24)
82550	03/06/14	CLEAN HARBORS ENVIRONMENTAL SE...	1000319605	1000101 · Operating Cash 10	
1000319605	01/30/14		OIL PAYMENT PROGRAM	3937224 · ABOP Collection	(1,812.00)
TOTAL					(1,812.00)
82551	03/06/14	COAST OFFICE TECHNOLOGY		1000101 · Operating Cash 10	
4892	02/01/14		COMPUTER MAINTENANCE	1018220 · System Administration	(1,430.00)
2014103	02/23/14		COMPUTER HARDWARE	1070417 · Computer Hardware	(376.20)
TOTAL					(1,806.20)
82552	03/06/14	COASTAL VIEW NEWS	INVOICE 42730	1000101 · Operating Cash 10	
42730	02/20/14		LEGAL NOTICES	1011303 · Printing & Advertising ...	(123.20)
TOTAL					(123.20)
82553	03/06/14	COFFMAN, SCOTT	FRO CERTIFICATES 2014	1000101 · Operating Cash 10	
FRO CERT...	02/20/14		OIL PAYMENT PROGRAM GRANT	2000261 · Deferred Revenue 20	(470.00)
TOTAL					(470.00)
82554	03/06/14	COLSON, MARY ANN	WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
WELLNES...	03/01/14		WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(350.91)
TOTAL					(350.91)

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CITY OF CARPINTERIA
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Num	Date	Name	Memo	Account	Paid Amount
82555	03/06/14	DIAZ, JAYNE	WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
WELLNES...	03/01/14		WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(350.91)
TOTAL					(350.91)
82556	03/06/14	DRAKE HAGLAN & ASSOCIATES, INC.		1000101 · Operating Cash 10	
12034-11	02/14/14		HBR GRANT	2000261 · Deferred Revenue 20	(239.37)
			HBR GRANT	2079614 · FHWA HBR 20	(239.37)
			PROJ 1522	1000251 · Development Deposits	(5,137.23)
			DIF PROGRAM HIGHWAY BRIDGES & INTER...	3100232 · DIF Highway Intercha...	(31.02)
			DIF PROGRAM HIGHWAY BRIDGES & INTER...	3179616 · FHWA HBR 31	(31.02)
12034-10	02/14/14		HBR GRANT	2000261 · Deferred Revenue 20	(17,675.05)
			HBR GRANT	2079614 · FHWA HBR 20	(17,675.04)
			DIF PROGRAM HIGHWAY BRIDGES & INTER...	3100232 · DIF Highway Intercha...	(2,289.99)
			DIF PROGRAM HIGHWAY BRIDGES & INTER...	3179616 · FHWA HBR 31	(2,289.99)
TOTAL					(45,608.08)
82557	03/06/14	DRIGGERS, LARRY	WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
WELLNES...	03/01/14		WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(350.91)
TOTAL					(350.91)
82558	03/06/14	DURFLINGER, DAVID	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
CELL PHO...	03/01/14		CELL PHONE REIMBURSEMENT	1012308 · Supplies & Materials 12	(65.00)
TOTAL					(65.00)
82559	03/06/14	EASY LIFT TRANSPORTATION	INVOICE 6040	1000101 · Operating Cash 10	
6040	03/01/14		CLAIM PER CONTRACT FOR MARCH	2734221 · Easy Lift/CART 27	(1,000.00)
TOTAL					(1,000.00)
82560	03/06/14	EBELING, CHARLES	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
CELL PHO...	03/01/14		CELL PHONE REIMBURSEMENT	1030308 · Supplies & Materials 30	(65.00)
TOTAL					(65.00)
82561	03/06/14	EDD-SDI	ACCT #776-5147-9	1000101 · Operating Cash 10	
PAYROLL ...	03/05/14		PAYROLL 03-06-14	1000223 · SDI Withheld 10	(964.68)

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CITY OF CARPINTERIA
Warrant Register
March 5 - 17, 2014

Num	Date	Name	Memo	Account	Paid Amount
TOTAL					(964.68)
82562	03/06/14	EDD-SIT	ACCT #932-0283-6	1000101 · Operating Cash 10	
PAYROLL ...	03/05/14		PAYROLL 03-06-14	1000221 · SIT Withheld 10	(3,810.12)
TOTAL					(3,810.12)
82563	03/06/14	EMEDCO		1000101 · Operating Cash 10	
9323609729	02/13/14		CITY HALL	1013224 · Interior Maintenance	(128.40)
9323617779	02/14/14		CITY HALL	1013224 · Interior Maintenance	(96.35)
TOTAL					(224.75)
82564	03/06/14	EVERYWHERE RIGHT NOW	INVOICE 1285	1000101 · Operating Cash 10	
1285	02/27/14		WEBHOSTING 2014-2015	1018224 · Software Maintenance	(150.00)
TOTAL					(150.00)
82565	03/06/14	FRONTADO, JOHN	WELLNESS PAYMENT	1000101 · Operating Cash 10	
WELLNES...	02/27/14		WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(350.91)
TOTAL					(350.91)
82566	03/06/14	GARCIA, FIDELA	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
CELL PHO...	02/27/14		CELL PHONE REIMBURSEMENT	1011308 · Supplies & Materials 11	(65.00)
TOTAL					(65.00)
82567	03/06/14	HIDALGO, BENNY	WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
WELLNES...	02/27/14		WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(350.91)
TOTAL					(350.91)
82568	03/06/14	JIMENEZ, ERNEST	WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
WELLNES...	02/27/14		WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(350.91)
TOTAL					(350.91)
82569	03/06/14	KIMBALL MIDWEST	INVOICE 3380597	1000101 · Operating Cash 10	

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CITY OF CARPINTERIA
Warrant Register
March 5 - 17, 2014

Num	Date	Name	Memo	Account	Paid Amount
3380597	01/28/14		PW SHOP	3332308 · Supplies & Materials 32	(216.84)
TOTAL					(216.84)
82570	03/06/14	LAWSON PRODUCTS INC		1000101 · Operating Cash 10	
9302223208	02/05/14		GENERAL SHOP SUPPLIES	3332308 · Supplies & Materials 32	(190.34)
9302223209	02/05/14		GENERAL SHOP SUPPLIES	3332308 · Supplies & Materials 32	(68.11)
TOTAL					(258.45)
82571	03/06/14	LEMERE, PATRICIA	WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
WELLNES...	02/11/14		WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(350.91)
TOTAL					(350.91)
82572	03/06/14	LINCOLN FINANCIAL GROUP	MARCH 2014 BILLING	1000101 · Operating Cash 10	
MAR 2014 ...	02/20/14		MARCH 2014	1051191 · Life Insurance Premiu...	(66.15)
			MARCH 2014	1011191 · Life Insurance Premiu...	(85.93)
			MARCH 2014	1012191 · Life Insurance Premiu...	(122.49)
			MARCH 2014	1013191 · Life Insurance Premiu...	(32.07)
			MARCH 2014	1014191 · Life Insurance Premiu...	(160.96)
			MARCH 2014	1016191 · Life Insurance Premiu...	(172.37)
			MARCH 2014	1030191 · Life Insurance Premiu...	(265.90)
			MARCH 2014	2531191 · Life Insurance Premiu...	(181.69)
			MARCH 2014	1041191 · Life Insurance Premiu...	(380.49)
			MARCH 2014	1042191 · Life Insurance Premiu...	(183.15)
			MARCH 2014	1069191 · Life Insurance Premiu...	(158.07)
			MARCH 2014	1022191 · Life Insurance Premiu...	(129.06)
			MARCH 2014	3332191 · Life Insurance Premiu...	(73.64)
			MARCH 2014	1044191 · Life Insurance Premiu...	(91.90)
			MARCH 2014	2361191 · Life Insurance Premiu...	(58.71)
			MARCH 2014	4868191 · Life Insurance Premiu...	(33.44)
TOTAL					(2,196.02)
82573	03/06/14	MCCORMIX CORP	INVOICE 884864	1000101 · Operating Cash 10	
884864	02/15/14		PUBLIC WORKS FUEL	3332307 · Vehicle Oper & Mainte...	(321.56)
TOTAL					(321.56)
82574	03/06/14	MGT OF AMERICA, INC	INVOICE #24493	1000101 · Operating Cash 10	
24493	11/20/13		SB90 CLAIMS FY 2012-2013	1010165 · SB90 CLAIMS	(323.00)

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Num	Date	Name	Memo	Account	Paid Amount
TOTAL					(323.00)
82575	03/06/14	MNS ENGINEERS INC		1000101 · Operating Cash 10	
64056	02/13/14		PROJ 5007	1000251 · Development Deposits	(3,179.00)
64057	02/13/14		PROJ 1417	1000251 · Development Deposits	(924.60)
64058	02/13/14		MEASURE A GRANT 4	2000261 · Deferred Revenue 20	(83.38)
			MEASURE A GRANT 4	2079274 · Measure A Grant 4	(83.37)
64059-R1	02/13/14		GEN ENGINEERING SERVICES	2536226 · Engineering Retainer	(5,936.81)
64060	02/13/14		PROJ 5289	1000251 · Development Deposits	(195.00)
64061	02/13/14		DIF HWY INTERCHANGE	3100232 · DIF Highway Intercha...	(437.72)
			DIF HWY INTERCHANGE	3179615 · Contract Services 31	(437.72)
64062	02/13/14		MEASURE A GRANT 2	2000261 · Deferred Revenue 20	(166.75)
			MEASURE A GRANT 2	2079272 · Measure A Grant 2	(166.75)
64063	02/13/14		FLOODPLAIN MGMT	2536226 · Engineering Retainer	(195.00)
64064	02/13/14		MEASURE A GRANT 1	2000261 · Deferred Revenue 20	(62.53)
			MEASURE A GRANT 1	2079271 · Measure A Grant 1	(62.53)
64065	02/13/14		MEASURE A GRANT 8	2000261 · Deferred Revenue 20	(414.08)
			MEASURE A GRANT 8	2079271 · Measure A Grant 1	(414.08)
			SANTA YNEZ GUARDRAIL	2779619 · Safe Routes to Schoo...	(548.90)
64066	02/13/14		GEN ENGINEERING SERVICES	2536226 · Engineering Retainer	(8,804.69)
64067	02/13/14		PROJ 5436	1000251 · Development Deposits	(5,791.00)
64068	02/13/14		PROJ 1693	1000251 · Development Deposits	(1,170.00)
64069-R1	02/13/14		PROJ 1695	1000251 · Development Deposits	(1,560.00)
64070	02/13/14		PROJ 1665	1000251 · Development Deposits	(83.38)
64074	02/13/14		PROJ 1005	1000251 · Development Deposits	(41.69)
64071-R1	02/27/14		PROJ 1649	1000251 · Development Deposits	(166.75)
64072-R1	02/27/14		PROJ 1698	1000251 · Development Deposits	(166.75)
64134-R1	02/27/14		PROJ 1700	1000251 · Development Deposits	(83.38)
TOTAL					(31,175.86)
82576	03/06/14	MONTECITO BANK & TRUST		1000101 · Operating Cash 10	
4120	02/21/14		MEETINGS & TRAVEL	1024306 · Meetings & Travel 24	(22.09)
			DISASTER PREPAREDNESS	1024215 · Disaster Preparedness	(619.69)
4692	02/21/14		TRAINING	1014306 · Meetings & Travel 14	(95.00)
			COMPUTER EQUIPMENT	1070417 · Computer Hardware	(2,668.50)
4138	02/21/14		BIRTHDAY CELEBRATION	1016310 · Employee/Public Relat...	(50.97)
TOTAL					(3,456.25)
82577	03/06/14	PACIFIC PLUMBING SPECIALITIES	INVOICE 062819	1000101 · Operating Cash 10	
062819	02/17/14		ROW	3332221 · Miscellaneous Contra...	(46.20)
			PARKS	2361221 · Miscellaneous Contracts	(46.19)

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TOTAL					(92.39)
82578	03/06/14	PAVEMENT ENGINEERING, INC.	INVOICE #1401-057	1000101 · Operating Cash 10	
1401-057	02/21/14		PM SYSTEM UPDATE	2772221 · Pavement Manageme...	(1,132.25)
TOTAL					(1,132.25)
82579	03/06/14	PENFIELD & SMITH	INVOICE 120915	1000101 · Operating Cash 10	
120915	02/14/14		MEASURE A GRANT 2	2000261 · Deferred Revenue 20	(142.50)
			MEASURE A GRANT 2	2079272 · Measure A Grant 2	(142.50)
TOTAL					(285.00)
82580	03/06/14	PERMACOLOR INC	VOID: .	1000101 · Operating Cash 10	
TOTAL					0.00
82581	03/06/14	RBF CONSULTING	INVOICE #870713	1000101 · Operating Cash 10	
870713	02/19/14		MEASURE A GRANT 8	2000261 · Deferred Revenue 20	(255.60)
			MEASURE A GRANT 8	2079275 · Public Work Grants	(255.59)
			SANTA YNEZ GUARDRAIL	2779619 · Safe Routes to Schoo...	(338.81)
TOTAL					(850.00)
82582	03/06/14	ROBERTS, MATTHEW	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
CELL PHO...	02/19/14		CELL PHONE REIMBURSEMENT	1069308 · Supplies & Materials 69	(65.00)
TOTAL					(65.00)
82583	03/06/14	S H DUNBAR STUDIOS	POOL TILE WALL	1000101 · Operating Cash 10	
POOL TILE...	02/03/14		POOL TILE WALL GRANT	2000261 · Deferred Revenue 20	(261.90)
TOTAL					(261.90)
82584	03/06/14	SANTA BARBARA COUNTY, SHERIFF'S D...	14-187	1000101 · Operating Cash 10	
14-187	02/12/14		SHERIFF OVERTIME	1021215 · Sheriff's Overtime	(172.25)
TOTAL					(172.25)
82585	03/06/14	SEUI LOCAL 620	UNION DUES	1000101 · Operating Cash 10	

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PAYROLL ...	03/05/14		PAYROLL 03-06-14	1000229 · SEIU Local 620	(146.19)
TOTAL					(146.19)
82586	03/06/14	SILK, KEVIN	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
	03/01/14		CELL PHONE REIMBURSEMENT	1044308 · Supplies & Materials 44	(35.00)
TOTAL					(35.00)
82587	03/06/14	SO CA EDISON	2-00-378-2059	1000101 · Operating Cash 10	
2-00-378-20...	02/25/14		CIVIC CENTER	1013313 · Utility - Electric 13	(1,587.19)
			ROW	3332313 · Utility - Electric 32	(250.97)
			PARKING	3332313 · Utility - Electric 32	(161.82)
			PARKS	2361313 · Utility - Electric 23	(600.01)
			POOL	4866313 · Utility - Electric 66	(937.02)
			STREET LIGHTING	2923220 · Street Lighting	(430.73)
			BIKEWAYS	2923225 · Public Right of Way Li...	(64.84)
TOTAL					(4,032.58)
82588	03/06/14	STAPLES ADVANTAGE		1000101 · Operating Cash 10	
3217765049	12/18/13		OFFICE SUPPLIES	1013308 · Supplies & Materials 13	(43.19)
3222790211	02/12/14		PW SUPPLIES	2531308 · Supplies & Materials 31	(51.29)
3222790210	02/12/14		PW SUPPLIES	2531308 · Supplies & Materials 31	(195.53)
3222891814	02/14/14		OFFICE SUPPLIES	1013308 · Supplies & Materials 13	(57.10)
3222891813	02/14/14		OFFICE SUPPLIES	1013308 · Supplies & Materials 13	(241.16)
3223348424	02/20/14		OFFICE SUPPLIES	1013308 · Supplies & Materials 13	(149.30)
3223419571	02/21/14		OFFICE SUPPLIES	1013308 · Supplies & Materials 13	(71.27)
3223419570	02/21/14		OFFICE SUPPLIES	1013308 · Supplies & Materials 13	(118.75)
TOTAL					(927.59)
82589	03/06/14	STRADLING YOCCA CARLSON & RAUTH	INVOICE #286820-0001	1000101 · Operating Cash 10	
286820-0001	02/25/14		MISC EMPLOYMENT MATTERS	1072211 · Personnel Services	(2,212.00)
TOTAL					(2,212.00)
82590	03/06/14	T. ROWE PRICE	ACCT #99020554000206142	1000101 · Operating Cash 10	
PAYROLL ...	03/05/14		PAYROLL 03-06-14 DEPOSIT - ANTHONY VE...	1000105 · ICMA Cash	(50.00)
TOTAL					(50.00)

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Num	Date	Name	Memo	Account	Paid Amount
82591	03/06/14	THE STORAGE PLACE	STORAGE RENTAL MARCH 2014	1000101 · Operating Cash 10	
MAR 2014 ...	03/03/14		OFFSITE STORAGE RENTAL	1013221 · Miscellaneous Contra...	(305.00)
TOTAL					(305.00)
82592	03/06/14	THORNBERRY, JOHN	CELL PHONE REIMBURSEMENT - JAN 2014	1000101 · Operating Cash 10	
	03/01/14		CEL PHONE REIMBURSEMENT JAN 2014	1014308 · Supplies & Materials 14	(65.00)
TOTAL					(65.00)
82593	03/06/14	TOM WATTS AUTOMOTIVE	INVOICE 030868	1000101 · Operating Cash 10	
030868	02/06/14		VEHICLE REPAIR	1013307 · Vehicle Oper & Mainte...	(60.00)
TOTAL					(60.00)
82594	03/06/14	UCSB ECONOMIC FORECAST PROJECT	2014 SPONSORSHIP	1000101 · Operating Cash 10	
2014 SPON...	02/28/14		SPONSORSHIP	1044305 · Dues & Subscriptions ...	(1,250.00)
TOTAL					(1,250.00)
82595	03/06/14	UNITED WAY OF SANTA BARBARA COU...	PAYROLL CONTRIBUTION	1000101 · Operating Cash 10	
PAYROLL ...	03/05/14		PAYROLL 03-06-14	1000224 · United Way Payable	(20.00)
TOTAL					(20.00)
82596	03/06/14	VANTAGEPOINT TRANSFER AGENTS - 457	PAYROLL DEPOSIT PLAN #303555	1000101 · Operating Cash 10	
PAYROLL ...	03/05/14		PAYROLL 03-06-14	1000105 · ICMA Cash	(850.00)
TOTAL					(850.00)
82597	03/06/14	VENCO POWER SWEEPING INC	INVOICE 0043527-IN	1000101 · Operating Cash 10	
0043527-IN	02/15/14		STREET SWEEPING SERVICE	2531227 · Street Sweeping	(3,318.60)
TOTAL					(3,318.60)
82598	03/06/14	VENCO WESTERN INC		1000101 · Operating Cash 10	
0028599-IN	01/31/14		LANDSCAPE ENHANCEMENTS @ VARIOUS ...	3332225 · ROW Maintenance 32	(7,117.00)
0148468-IN	02/15/14		ROW	3332225 · ROW Maintenance 32	(1,793.19)
			CITY HALL	1013225 · Grounds Maintenance	(742.10)
			PROJ 4865	1000251 · Development Deposits	(221.26)

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Num	Date	Name	Memo	Account	Paid Amount
			VETS HALL	4865220 · Grounds Maintenance ...	(108.66)
			POOL	4866220 · Grounds Maintenance ...	(221.73)
			ROW PARKING LOT	3323220 · Parking Lot Landscape	(422.38)
			PARKS	2361225 · Park Maintenance 61	(4,523.56)
TOTAL					(15,149.88)
82599	03/06/14	VULCAN MATERIALS COMPANY	INVOICE 70261120	1000101 · Operating Cash 10	
70261120	02/14/14		COLD MIX	2531224 · Street Drainage Impro...	(249.48)
TOTAL					(249.48)
82600	03/06/14	WALLACE GROUP	INVOICE #36561	1000101 · Operating Cash 10	
36561	02/12/14		MEASURE A GRANT 1	2000261 · Deferred Revenue 20	(2,145.81)
			MEASURE A GRANT 1	2079271 · Measure A Grant 1	(2,145.80)
TOTAL					(4,291.61)
82601	03/06/14	WALLY'S WORLD OF LOCKS LLC	INVOICES 350	1000101 · Operating Cash 10	
350	02/06/14		ROW	3332221 · Miscellaneous Contra...	(104.65)
			PARKS	2361221 · Miscellaneous Contracts	(104.65)
TOTAL					(209.30)
82602	03/06/14	WAUSAU TILE INC	INVOICE 457745	1000101 · Operating Cash 10	
457745	02/12/14		REPLACEMENT TRASH CAN LIDS	3332225 · ROW Maintenance 32	(1,544.61)
TOTAL					(1,544.61)
82603	03/06/14	ZEE MEDICAL SERVICE CO	CUSTOMER # 2310	1000101 · Operating Cash 10	
34-150017	02/04/14		FIRST AID SUPPLIES	1013307 · Vehicle Oper & Mainte...	(551.20)
			FIRST AID SUPPLIES	1013224 · Interior Maintenance	(551.21)
TOTAL					(1,102.41)
82604	03/06/14	ZUMAR INDUSTRIES INC.	INVOICE 0150821	1000101 · Operating Cash 10	
0150821	02/11/14		SIGNAGE	3332308 · Supplies & Materials 32	(72.36)
TOTAL					(72.36)
82605	03/06/14	PERMACOLOR INC		1000101 · Operating Cash 10	

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275759	02/07/14		TRASH CANS	3332225 · ROW Maintenance 32	(400.00)
275768	02/18/14		BIKE RACKS	3332225 · ROW Maintenance 32	(400.00)
TOTAL					(800.00)
82606	03/12/14	A T & T MOBILITY	ACCOUNT #337015224648	1000101 · Operating Cash 10	
337015224...	02/23/14		PW CELL PHONE	2531301 · Telephone 31	(115.47)
			PW CELL PHONE	1013308 · Supplies & Materials 13	(13.87)
			PW CELL PHONE	3332308 · Supplies & Materials 32	(11.87)
			PW CELL PHONE	2531308 · Supplies & Materials 31	(84.81)
TOTAL					(226.02)
82607	03/12/14	AERIOCONNECT	709045	1000101 · Operating Cash 10	
7090045	03/03/14		DSL MONTHLY SERVICE CHARGE - MAR 2014	1018222 · Equipment Maintenance	(66.06)
TOTAL					(66.06)
82608	03/12/14	AG ENT INC		1000101 · Operating Cash 10	
13566	02/22/14		BF TEST	2361221 · Miscellaneous Contracts	(80.00)
13560	02/22/14		YUCCA LANE	2361221 · Miscellaneous Contracts	(45.00)
13569	02/22/14		LINDEN @ SANDYLAND	2361221 · Miscellaneous Contracts	(80.00)
13567	02/22/14		SALT MARSH	2361221 · Miscellaneous Contracts	(45.00)
13565	02/22/14		MONTE VISTA	2361221 · Miscellaneous Contracts	(80.00)
TOTAL					(330.00)
82609	03/12/14	AT & T MOBILITY	ACCOUNT #832685259	1000101 · Operating Cash 10	
832685259	02/22/14		CODE ENFORCEMENT	1047213 · Animal Sheltering	(125.08)
			CODE ENFORCEMENT	1047213 · Animal Sheltering	(71.22)
			CODE ENFORCEMENT	1047213 · Animal Sheltering	(41.22)
TOTAL					(237.52)
82610	03/12/14	BALMADRID, ARLENE	REIMBURSEMENT	1000101 · Operating Cash 10	
REIMBURS...	02/11/14		TRAVEL REIMBURSEMENT	1016306 · Meetings & Travel 16	(75.28)
TOTAL					(75.28)
82611	03/12/14	BARBER-FORD, R.E.		1000101 · Operating Cash 10	
OCS580775	02/28/14		UNIT 120	1013307 · Vehicle Oper & Mainte...	(44.26)
OCS580820	02/28/14		UNIT 121	1013307 · Vehicle Oper & Mainte...	(44.26)

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TOTAL					(88.52)
82612	03/12/14	BEGA	INVOICE #186881	1000101 · Operating Cash 10	
186881	03/04/14		SEASIDE PARK	2979610 · Public Pkg Lot / Bikew...	(3,525.58)
TOTAL					(3,525.58)
82613	03/12/14	BENGAL ENGINEERING	INVOICE #2303	1000101 · Operating Cash 10	
2303	02/14/14		RINCON TRAIL MEASURE A GRANT	2000261 · Deferred Revenue 20	(1,960.00)
TOTAL					(1,960.00)
82614	03/12/14	BIG GREEN CLEANING COMPANY		1000101 · Operating Cash 10	
440942	02/01/14		ASH AVE	2861225 · Marsh/Bluffs Maintena...	(30.00)
			PARKING LOT 3	3332221 · Miscellaneous Contra...	(30.00)
			PARKING LOT 1	3332221 · Miscellaneous Contra...	(30.00)
440214	02/01/14		SEASIDE BUILDING	4865309 · Misc Operating Expen...	(165.00)
TOTAL					(255.00)
82615	03/12/14	CARNAVALE, LOUIS	REFUND LANDSCAPE BOND	1000101 · Operating Cash 10	
LANDSCAP...	02/26/14		REFUND LANDSCAPE BOND	1000251 · Development Deposits	(125.57)
TOTAL					(125.57)
82616	03/12/14	CARPINTERIA UNIFIED SCHOOL DISTRICT	PROJECT 1619 REFUND	1000101 · Operating Cash 10	
PROJ 1619...	03/10/14		PROJ 1619 REFUND	1000251 · Development Deposits	(4,458.81)
TOTAL					(4,458.81)
82617	03/12/14	CARPINTERIA VALLEY CHAMBER OF CO...	INVOICE #5689	1000101 · Operating Cash 10	
5689	01/21/14		2014 CHAMBER AWARDS BANQUET TICKETS	1016310 · Employee/Public Relat...	(1,930.00)
TOTAL					(1,930.00)
82618	03/12/14	CARPINTERIA VALLEY WATER DISTRICT	JAN - FEB 2014 BILLING	1000101 · Operating Cash 10	
JAN-FEB 2...	02/28/14		CIVIC CENTER	1013312 · Utility - Water 13	(999.36)
			PARKING/STREETS	3332312 · Utility - Water 32	(3,064.93)
			PARKS	2361312 · Utility - Water 23	(10,719.23)
			POOL	4866312 · Utility - Water 66	(1,396.96)

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			VETS HALL	4865309 · Misc Operating Expen...	(305.98)
			PROJ 4865	1000251 · Development Deposits	(621.24)
TOTAL					(17,107.70)
82619	03/12/14	COAST AUTO PARTS, INC.	FEB 2014 BILLING	1000101 · Operating Cash 10	
FEB 2014 B...	02/28/14		VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainte...	(80.48)
			VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainte...	(7.13)
			VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainte...	(98.95)
			VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainte...	(52.81)
			VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainte...	(42.88)
			VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainte...	(121.23)
			VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainte...	(6.48)
			VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainte...	(83.31)
			VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainte...	(33.22)
			VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainte...	(137.89)
			VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainte...	(34.71)
			VEHICLE MAINTENANCE	1013307 · Vehicle Oper & Mainte...	(39.26)
			VEHICLE MAINTENANCE	1013307 · Vehicle Oper & Mainte...	(21.77)
			VEHICLE MAINTENANCE	3332307 · Vehicle Oper & Mainte...	(13.47)
			VEHICLE MAINTENANCE	2361222 · Equip/Vehicle Mainten...	(100.81)
TOTAL					(874.40)
82620	03/12/14	COAST OFFICE TECHNOLOGY	INVOICE #2014104	1000101 · Operating Cash 10	
2014104	03/01/14		COMPUTER HARDWARE	1070417 · Computer Hardware	(636.61)
TOTAL					(636.61)
82621	03/12/14	COASTAL VIEW NEWS		1000101 · Operating Cash 10	
42599	01/30/14		LEGAL NOTICES	3100242 · Park Improvements DIF	(548.24)
42739	03/06/14		LEGAL NOTICES	1011303 · Printing & Advertising ...	(56.00)
42759	03/07/14		LEGAL NOTICES	1011303 · Printing & Advertising ...	(75.46)
42770	03/07/14		FIRST FRIDAY AD	1044302 · Marketing Materials	(750.00)
TOTAL					(1,429.70)
82622	03/12/14	COUNCIL ON ALCOHOLISM & DRUG AB...	013114CALGRIP2	1000101 · Operating Cash 10	
013114CAL...	03/03/14		CALGRIP GRANT	2000261 · Deferred Revenue 20	(16,330.71)
TOTAL					(16,330.71)
82623	03/12/14	COX COMMUNICATIONS	001-3011-022093901	1000101 · Operating Cash 10	

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001301102...	03/01/14		INTERNET SERVICES	1018222 · Equipment Maintenance	(132.00)
TOTAL					(132.00)
82624	03/12/14	FIDELITY SECURITY LIFE INSURANCE	INVOICE #7307334	1000101 · Operating Cash 10	
7307334	02/22/14		MARCH 2014 VISION	1016194 · Wellness 16	(17.56)
			MARCH 2014 VISION	1041194 · Wellness 41	(8.78)
			MARCH 2014 VISION	1030194 · Wellness 30	(8.78)
			MARCH 2014 VISION	1030194 · Wellness 30	(25.81)
			MARCH 2014 VISION	1022194 · Wellness 22	(17.56)
			MARCH 2014 VISION	2531194 · Wellness 31	(25.81)
			MARCH 2014 VISION	1069194 · Wellness 69	(8.78)
			MARCH 2014 VISION	1051194 · Wellness 51	(16.68)
			MARCH 2014 VISION	1011194 · Wellness 11	(8.78)
			MARCH 2014 VISION	1069194 · Wellness 69	(25.81)
			MARCH 2014 VISION	1044194 · Wellness 44	(16.68)
			MARCH 2014 VISION	2531194 · Wellness 31	(8.78)
TOTAL					(189.81)
82625	03/12/14	LITE 4 OUTDOOR LIGHTING	SEASIDE PARK BOLLARD LIGHTS	1000101 · Operating Cash 10	
BOLLARD ...	03/03/14		SEASIDE PARK BOLLARD LIGHTS	2979610 · Public Pkg Lot / Bikew...	(2,866.00)
TOTAL					(2,866.00)
82626	03/12/14	MISSION UNIFORM SERVICE	FEBRUARY 2014 BILLING	1000101 · Operating Cash 10	
FEB 2014 B...	02/28/14		UNIFORM EXPENSE	2531198 · Uniform Rental 31	(72.66)
			UNIFORM EXPENSE	3332198 · Uniform Rental 32	(72.66)
			UNIFORM EXPENSE	1013198 · Uniform Rental 13	(36.33)
			UNIFORM EXPENSE	2361198 · Uniform Rental 61	(36.31)
TOTAL					(217.96)
82627	03/12/14	MONTECITO BANK & TRUST		1000101 · Operating Cash 10	
4270	02/21/14		EL CARRO PARK	2361221 · Miscellaneous Contracts	(101.99)
			SECURITY CAMERAS	3332308 · Supplies & Materials 32	(303.79)
			SHIPPING EXPENSE	4866308 · Supplies & Materials 66	(91.80)
			SIGNAGE	4865221 · Miscellaneous Contra...	(451.80)
			LOCK SUPPLIES	2361221 · Miscellaneous Contracts	(168.88)
			PARKS SUPPLIES	2361221 · Miscellaneous Contracts	(71.89)
			POOL	4866308 · Supplies & Materials 66	(59.97)
			REFRESHMENTS	4866308 · Supplies & Materials 66	(4.19)
			REFRESHMENTS	4866308 · Supplies & Materials 66	(4.19)
			WATER STORAGE TANK	3172221 · Seaside Park	(511.39)

2:52 PM

03/17/14

CITY OF CARPINTERIA
Warrant Register
March 5 - 17, 2014

Num	Date	Name	Memo	Account	Paid Amount
4379	02/21/14		SEASIDE PARK POOL PARKS DOG BAGS BOAT HOUSE REFRESHMENTS PHONE SUPPLIES TRAINING - MAECHLER PROJ 4864 TRAINING PROJ 4864 TRAINING PROJ 4864 TRAINING MEETING REFRESHMENTS	3172221 · Seaside Park 4866308 · Supplies & Materials 66 2361221 · Miscellaneous Contracts 4863308 · Special Events Expen... 2862308 · Supplies & Materials 62 4866308 · Supplies & Materials 66 1013301 · Telephone 13 1016228 · Employee Training 1000251 · Development Deposits 1000251 · Development Deposits 1000251 · Development Deposits 1051310 · Public Relations 51	(73.57) (464.96) (26.40) (4.69) (468.19) (55.80) (86.40) (50.00) (27.90) (81.23) (9.60) (137.50)
TOTAL					(3,256.13)
82628	03/12/14	MORAGA, VIC	FEBRUARY 2014 FIRST FRIDAY	1000101 · Operating Cash 10	
FEB 2014 F...	03/12/14		FEB 2014 FIRST FRIDAY	1044302 · Marketing Materials	(200.00)
TOTAL					(200.00)
82629	03/12/14	PEOPLE'S SELF HELP HOUSING	REFUND LANDSCAPE BOND	1000101 · Operating Cash 10	
LANDSCAP...	03/07/14		REFUND LANDSCAPE BOND	3100261 · Bonds Landscape	(1,625.49)
TOTAL					(1,625.49)
82630	03/12/14	PROBER LAND SURVEYING	INVOICE #1225	1000101 · Operating Cash 10	
1225	02/20/14		SEASIDE PARK	3100242 · Park Improvements DIF	(925.00)
TOTAL					(925.00)
82631	03/12/14	PROFESSIONAL WASH CENTER	INVOICE #4270	1000101 · Operating Cash 10	
4270	03/04/14		DOWNTOWN BANNERS	3845222 · Marketing/Project Car...	(21.88)
TOTAL					(21.88)
82632	03/12/14	RISDON'S 76 PROTECH SERVICE	INVOICE #35224	1000101 · Operating Cash 10	
35224	01/23/14		UNIT 110 REPAIR	1013307 · Vehicle Oper & Mainte...	(934.15)
TOTAL					(934.15)
82633	03/12/14	SANTA BARBARA COUNTY, SHERIFF'S D...	INVOICE #14-138	1000101 · Operating Cash 10	
14-138	11/25/13		SHERIFF OVERTIME	1021215 · Sheriff's Overtime	(982.80)

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03/17/14

CITY OF CARPINTERIA
Warrant Register
March 5 - 17, 2014

Num	Date	Name	Memo	Account	Paid Amount
TOTAL					(982.80)
82634	03/12/14	SO CA EDISON		1000101 · Operating Cash 10	
2-17-070-74...	02/27/14		1 CARP	2923220 · Street Lighting	(55.74)
2-19-146-82...	02/27/14		9TH STREET	2923220 · Street Lighting	(37.69)
2-01-201-64...	02/27/14		STREET LIGHTING	2923220 · Street Lighting	(7,300.11)
2-14-791-58...	02/28/14		101 ASH	2923220 · Street Lighting	(91.53)
2-22-684-64...	02/28/14		100 LINDEN	2923220 · Street Lighting	(28.57)
2-30-652-42...	03/01/14		SEASIDE BUILDING	4865309 · Misc Operating Expen...	(61.42)
2-32-832-75...	03/01/14		PROJ 4865 VETS HALL	1000251 · Development Deposits	(480.49)
			VETS HALL	4865309 · Misc Operating Expen...	(409.30)
TOTAL					(8,464.85)
82635	03/12/14	SOLID WASTE SOLUTIONS INC	INVOICE #102	1000101 · Operating Cash 10	
102	03/03/14		AB949 COORDINATION	3937221 · Solid Waste	(654.00)
TOTAL					(654.00)
82636	03/12/14	TRIBUNE MEDIA SERVICES, INC.	INVOICE #0619758	1000101 · Operating Cash 10	
0619758	03/03/14		LISTINGS DISTRIBUTION	1000251 · Development Deposits	(56.28)
TOTAL					(56.28)
82637	03/12/14	UNITED STATES TREASURY	95-2414438 1 QTR 2014 FORM 720-V	1000101 · Operating Cash 10	
1QTR 2014...	03/06/14		FORM 720-V 1 QTR 2014	1016312 · Flexible Benefits Admin	(35.00)
TOTAL					(35.00)
82638	03/12/14	VENTURA COLLEGE TRANSFER & CARE...	JOB FAIR 2014 REGISTRATION	1000101 · Operating Cash 10	
JOB FAIR 2...	03/06/14		JOB FAIR 2014 REGISTRATION	1016303 · Recruitment Advertising	(10.00)
TOTAL					(10.00)
82639	03/12/14	VERIZON CALIFORNIA		1000101 · Operating Cash 10	
011711126...	02/22/14		OUTSIDE PD	1013301 · Telephone 13	(87.52)
011711128...	02/25/14		ASH AVE	1013301 · Telephone 13	(87.51)
TOTAL					(175.03)
82640	03/12/14	C3 INTELLIGENCE, INC	INVOICE #3414	1000101 · Operating Cash 10	

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03/17/14

CITY OF CARPINTERIA
Warrant Register
March 5 - 17, 2014

Num	Date	Name	Memo	Account	Paid Amount
3414	03/03/14		RECRUITMENT	1016320 · Pre-placement Health ...	(40.50)
TOTAL					(40.50)
82641	03/12/14	CALIFORNIA ELECTRIC SUPPLY	60-22980	1000101 · Operating Cash 10	
7700-705084	02/26/14		CIVIC CENTER SUPPLIES	1013224 · Interior Maintenance	(100.35)
TOTAL					(100.35)
82642	03/12/14	CARNAVALE, LOUIS	REFUND LANDSCAPE BOND	1000101 · Operating Cash 10	
REF LAND...	03/06/14		REFUND LANDSCAPE BOND	1000251 · Development Deposits	(550.33)
TOTAL					(550.33)
82643	03/12/14	PRAXAIR	INVOICE #48595236	1000101 · Operating Cash 10	
48595236	02/20/14		PW SUPPL,IES	2531308 · Supplies & Materials 31	(25.62)
TOTAL					(25.62)
82644	03/12/14	SO CA EDISON	2-26-504-7225	1000101 · Operating Cash 10	
2-26-504-72...	03/04/14		STREET LIGHTING	2923210 · Traffic Signals	(35.26)
TOTAL					(35.26)
82645	03/12/14	VERIZON CALIFORNIA	011711114329800406	1000101 · Operating Cash 10	
011711114...	02/28/14		CIVIC CENTER	1013301 · Telephone 13	(844.05)
			PW	2531301 · Telephone 31	(37.63)
			BEACH	2862301 · Telephone 62	(120.80)
			POOL	4866301 · Telephone 66	(235.25)
			BEACH CONCESSION	2864308 · Supplies & Materials 64	(113.71)
TOTAL					(1,351.44)
				TOTAL	\$292,582.98

STAFF REPORT
COUNCIL MEETING DATE:
March 24, 2014

ITEM FOR COUNCIL CONSIDERATION:

PROPOSAL TO CONTINUE STREET LIGHTING DISTRICT #1 FOR FY 2014-15

Report prepared by: John Thornberry, Administrative Services Director

Department: Administrative Services

Reviewed by:

City Manager

Signature

Signature

ACTION ITEM x ; NON-ACTION ITEM ____

STAFF RECOMMENDATION: Adopt the attached Resolution No. 5505 as read by title only directing the City Manager to prepare an assessment report for the consideration of continuing the Carpinteria Street Lighting District #1 for the Fiscal Year 2014-15 .

MOTION: I move to adopt Resolution No. 5505, as read by title only, directing the City Manager to prepare an assessment report for the consideration of continuing the Carpinteria Street Lighting District #1 for the Fiscal Year 2014-15.

I. BACKGROUND:

The Street Lighting District is legally an independent special district governed by the City of Carpinteria. The District was established by the City to finance street lighting costs in 1977 and has been continued annually ever since. Due to the fact that this district was formed before Proposition 13 and is a property taxing district, it is entitled to a very small share (less than 1%) of the basic one percent property tax rate.

II. FINANCIAL CONSIDERATIONS:

Failure to continue the District would result in a loss of approximately \$280,000 in revenues to finance the cost of street lighting. Annual revenues in this fund usually exceed annual operating expenditures and the fund balance increases. Once sufficient fund balance is accumulated these funds have been used in the past to finance capital projects such as new or replacement street lights, upgrades to traffic signals, etc. The fund balance at 6/30/1 was \$959,899.

III. LEGAL ISSUES:

It has been determined that continuation of this District is not subject to the conditions of Proposition 218.

Reference the attached Resolution No. 5505, which, if adopted, is the first step in the annual process to consider renewal of the Carpinteria Street Lighting District No. 1.

The following is the sequence of events for continuing this district:

- March 24 --- Adopt resolution ordering preparation of a report describing the status of the district, which provides street lighting for the City and to provide projections for FY 2014-15
- April 28 --- Report is presented by staff with recommendations. Adopt resolution accepting report. Adopt resolution of intention to continue district for next year and set for public hearing
- May 26 --- Conduct public hearing on proposal to continue district
Adopt resolution continuing the district and levying the tax for Fiscal Year 2014-15

IV. ALTERNATIVES:

Discontinue the District
Direct changes to the Resolution

V. PRINCIPAL PARTIES EXPECTED AT MEETING:

None

VI. ATTACHMENTS:

- A. Exhibit A State of Fund Transactions and Financial Condition for the fiscal year
- B. Resolution 5505

CITY OF CARPINTERIA
STREET LIGHTING DISTRICT NUMBER 1
STATEMENT OF FUND TRANSACTIONS AND FINANCIAL CONDITION

ACTUAL	ACTUAL	ACTUAL	BUDGET	PROJECTED
2010-11	2011-12	2012-13	2013-14	2014-15

Fund Balance: July 1	811,574	769,655	854,667	854,667	748,534
Fiscal Year Revenues	283,812	278,433	287,402	274,941	277,690
Fiscal Year Expenditures	325,731	193,421	182,170	381,074	382,676
Fund Balance: June 30	769,655	854,667	959,899	748,534	643,549
Revenue Over/(Under) Expense	(41,919)	85,012	105,232	(106,133)	(104,985)

Cash in Savings	789,155	858,620	968,091	748,534	643,549
Time Deposits	0	0	0	0	0
Accounts Receivable	0	0	0	0	0
*Total Assets>>>>>>>>>>>>	789,155	858,620	968,091	748,534	643,549

Accounts Payable	19,500	3,953	8,192	0	0
Fund Balance	769,655	854,667	959,899	748,534	643,549
*Total Liabilities & Fund Balance>>	789,155	858,620	968,091	748,534	643,549

Use of Money & Property	17,054	11,331	4,497	11,331	11,444
District #1-Property Taxes, Secured	248,083	249,300	260,294	251,607	254,123
District #1-Property Taxes, Unsecured	11,800	11,842	12,862	2,609	2,635
District #1-Supplemental Roll	3,893	2,660	4,178	6,746	6,813
District #1-Homeowners Reimbursement	1,840	1,785	1,785	1,133	1,144
Prior Years and Penalties	1,142	1,515	3,786	1,515	1,530
Special District Assistance	0	0	0	0	0
Transfers from Other Funds	0	0	0	0	0
*Total Revenues>>>>>>>>>>>>	283,812	278,433	287,402	274,941	277,690

Traffic Signals	50,771	863	7,469	66,648	67,448
Public Right of Way Lighting	11,423	14,619	1,429	60,000	60,720
Street Lighting	105,212	85,245	107,477	110,000	112,420
Parking Lot Lighting		11,825		3,500	3,542
Miscellaneous Operating Expense	1,488	2,738		10,000	10,120
*Total Operating Expense>>>>>	168,894	115,289	116,375	250,148	254,250
*Transfers Out>>>>>	61,980	67,026	65,795	128,426	128,426

Street Lights	94,858	11,106	0	2,500	0
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*Total Capital Outlay Expense>>>>	94,858	11,106	0	2,500	0
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*Total Expenditures>>>>>>>>>>	325,731	193,421	182,170	381,074	382,676
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EXHIBIT A

RESOLUTION NO. 5505

**A RESOLUTION OF THE
CITY COUNCIL OF THE CITY OF CARPINTERIA
ORDERING THE CITY MANAGER TO PREPARE
AN ASSESSMENT DIAGRAM, PLANS, SPECIFICATIONS, ESTIMATE AND
REPORT,
PURSUANT TO THE PROVISIONS OF DIVISION 14, PART 1,
STREETS AND HIGHWAYS CODE, STREET LIGHTING ACT OF 1919,
AS AMENDED,
FOR THE FURNISHING OF ELECTRIC CURRENT,
FOR THE MAINTENANCE OF CERTAIN LIGHTING FIXTURES
AND APPLIANCES IN ALL PORTIONS OF THE CITY IN
STREETLIGHTING ASSESSMENT DISTRICT NO. 1
FOR THE PERIOD
BEGINNING JULY 1, 2014, AND ENDING JUNE 30, 2015**

WHEREAS, the continued public convenience and necessity require, and it is the intention of the City Council of the City of Carpinteria to order the furnishing of electric current, and the maintenance of lighting fixtures and appliances in said Street Lighting Assessment District No. 1 in the City of Carpinteria for the period beginning July 1, 2014 and ending June 30, 2015; and

WHEREAS, proceedings for such proposed improvements will be taken pursuant to the provisions of Division 14, Part 1, Chapter 8.5, Street and Highways Code, Street Lighting Act of 1919, as amended; and

WHEREAS, the provisions of said Division 14, Part 1, require a written report concerning such proposed improvements.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARPINTERIA DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the City Manager is hereby ordered to prepare a written report pursuant to the provisions of Section 18160 and 18161, Streets and Highways Code for the furnishing of electric current and the maintenance of certain lighting fixtures and appliances in all portions of the City that are within Street Lighting Assessment District No. 1 in said City for the period beginning July 1, 2014 and ending June 30, 2015.

PASSED, APPROVED AND ADOPTED this 24th day of March, 2014 by the following called vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

Mayor, City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 24th day of March, 2014.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

City Attorney

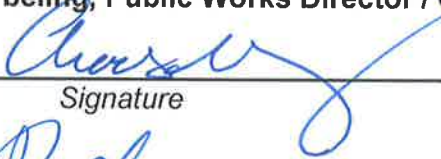
STAFF REPORT
COUNCIL MEETING DATE:
March 24, 2014

ITEM FOR COUNCIL CONSIDERATION:

**PROPOSAL TO CONTINUE LIGHTING, LANDSCAPING AND RIGHT-OF-WAY
IMPROVEMENT DISTRICT #3 FOR FY 2014-15**

Report prepared by: Charles Ebeling, Public Works Director / City Engineer

Department: Public Works


Signature

Reviewed by:

Administrative Services Director


Signature

City Manager


Signature

ACTION ITEM x; NON-ACTION ITEM

STAFF RECOMMENDATION: Adopt the attached Resolution No. 5506, as read by title only, ordering the preparation of a report describing the financial status of the District and recommending assessments for fiscal year 2014-15 for the Carpinteria Lighting, Landscaping and Right of Way Improvement District #3.

MOTION: I move to adopt Resolution No. 5506, as read by title only, ordering the preparation of a report describing the financial status of the District and recommending assessments for fiscal year 2014-15 for the Carpinteria Lighting, Landscaping and Right of Way Improvement District #3.

I. BACKGROUND:

This assessment district was formed on June 8, 1985 by Resolution No. 1474, superceding Street Lighting District 2, providing funding for the maintenance of rights-of-

way including repairs to curbs, gutters, sidewalks, tree removal and planting and the tree management program. Like the former Street Lighting District 2, this district may also make assessments for street lighting, but such is not made since the overlapping Street Lighting District #1 provides funding sufficient to meet the needs of that district.

This district encompasses the entire City and assessments are made on a parcel by parcel basis depending on use, location and need for services. District revenues are currently used to pay for one Maintenance Worker I and one Maintenance Worker II positions as well as general right-of-way maintenance, tree maintenance and water and electric utilities costs.

II. POLICY:

The City General Plan/Local Coastal Plan includes policies that address the maintenance of street corridors in the City. Specifically, Policies CD-8a, CD-8b, CD-9a, CD-9b, CD-9c, CD-9d and CD-9f address pedestrian and bicycle pathways. The Carpinteria Lighting, Landscaping and Right-Of-Way Improvement District #3 is the financial means by which the City can, in part, implement these policies.

III. FINANCIAL CONSIDERATIONS:

Attachment B is a summary of revenue and expenses for the District providing past years, current year and projected data for next year.

The income stream for this fund is fixed at levels set in 1997. The General Fund subsidized the District by \$137,817 last year. The current year subsidy is estimated at \$121,382.

The District has also historically received payment from the Gas Tax fund for Gas Tax related work i.e. street maintenance work that has been assigned through the City's budget system for payment from the Gas Tax Fund, performed by District employees. It is anticipated that the Gas Tax fund balance, which also receives a mostly static income stream, will be exhausted in the next few years. Should this occur it is expected that the General Fund subsidy would need to be increased to support the lost Gas Tax revenue. At some point, increasing assessments and/or reducing levels of service must be considered unless it is determined to continue to use General Fund revenue sources to supplement the District's revenue.

IV. LEGAL ISSUES:

The sequence of events for this assessment district is as follows:

March 24	Adopt resolution ordering preparation of report describing the financial status of the District and recommending assessments for fiscal year 2013-14
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- April 28 Report is presented by staff with recommendations
 Adopt resolution accepting report
 Adopt resolution of intention to continue district and to make assessments
- May 26 Adopt Resolution continuing district and making assessments and
 authorizing County to collect assessments for the City

V. ALTERNATIVE ACTIONS:

- A. Discontinue the District (no action required)
- B. Modify scope/purpose of the District (requires compliance with the procedures outlined in the California Constitution Article XIID § 4 Proposition 218)
- C. Modify amount of assessment (requires compliance with the procedures outlined in the California Constitution Article XIID § 4 Proposition 218)

VI. PRINCIPAL PARTIES EXPECTED AT MEETING:

None

VII. ATTACHMENTS:

- A. Resolution No. 5506
- B. Summary of revenue and expense for the District providing past years, current year and projected data for next year.

RESOLUTION NO. 5506

**A RESOLUTION OF THE
CITY COUNCIL OF THE CITY OF CARPINTERIA
ORDERING THE CITY ENGINEER TO PREPARE AND FILE
A REPORT IN ACCORDANCE WITH
CHAPTER 3, PART 2, LANDSCAPING AND LIGHTING ACT OF 1972,
COMMENCING WITH SECTION 22620,
CALIFORNIA STREETS AND HIGHWAYS CODE,
FOR THE PURPOSE OF CONSIDERING THE LEVY OF AN ASSESSMENT FOR
FISCAL YEAR 2014-15
CARPINTERIA LIGHTING, LANDSCAPING AND RIGHT-OF-WAY IMPROVEMENT
DISTRICT NUMBER 3**

WHEREAS, Chapter 3, Part 2, Landscaping and Lighting Act of 1972, commencing with Section 22620 of the California Streets and Highways Codes specifies the process for the levy of annual assessments after formation of an assessment district pursuant to the Landscaping and Lighting Act of 1972; and

WHEREAS, the City Council desires to consider an assessment for Fiscal Year 2014-15; and

WHEREAS, the Carpinteria Lighting, Landscaping and Right-of-Way Improvement District Number 3 includes the entire City of Carpinteria, including those parcels created within the City subsequent to the establishment of said District Number 3, unless any such parcel is exempt from assessment as provided by law; and

WHEREAS, it is the intention of the City to continue to service and maintain street lights, landscaping and right-of-way in the City.

NOW, THEREFORE, THE CARPINTERIA CITY COUNCIL DOES HEREBY RESOLVE, DETERMINE AND ORDER that the City Engineer prepare (or have prepared) and file a report in accordance with Chapter 3, Part 2, Landscaping and Lighting Act of 1972, commencing with Section 22620 of the California Streets and Highways Code for the purpose of consideration of the levy of an assessment for the Carpinteria Lighting, Landscaping and Right-of-Way Improvement District Number 3 for Fiscal Year 2014-15.

PASSED, APPROVED AND ADOPTED this 24th day of March 2014 by the following called vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

Mayor, City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 24th day of March 2014.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

City Attorney

ASSESSMENT DISTRICT #3

A. SUMMARY OF FUND TRANSACTIONS:

B. BALANCE SHEET, JUNE 30

Accounts Payable	0	0	0	0	0
Fund Balance	(1)	(2)	(2)	(2)	(2)
*Total Liabilities & Fund Balance>>	(1)	(2)	(2)	(2)	(2)

[illegible][illegible]

STAFF REPORT
COUNCIL MEETING DATE:
March 24, 2014

ITEM FOR COUNCIL CONSIDERATION:

**PROPOSAL TO CONTINUE PARKING & BUSINESS IMPROVEMENT AREA
DISTRICT #4 FOR FY 2014-15**

Report prepared by: John Thornberry, Administrative Services Director

Department: Administrative Services

Signature

Reviewed by:

City Manager

Signature

ACTION ITEM X ; NON-ACTION ITEM

STAFF RECOMMENDATION: Adopt the attached Resolution No. 5507, as read by title only, ordering a report by the Parking and Business Improvement Area Advisory Board and the City Manager for the purpose of continuing assessments for the Carpinteria Parking and Business Improvement District #4 for fiscal year 2014-15

MOTION: None Required

I. BACKGROUND:

This District was formed to provide a means of funding downtown promotion and revitalization efforts and to provide for public parking within the District. Currently all businesses within the District pay a flat annual assessment of \$119 for general business promotion.

In addition, businesses in sub area B pay a parking assessment based on the difference between the parking the business provides and the parking required as per the parking ordinance. Another factor in the assessment calculation is the distance the business is

from Parking Lot #3. Collections of this assessment are used to make partial debt service payments on the Certificates of Participation issued to acquire and construct the lot. These debt service payments are scheduled to end in 2018.

In fiscal 1996-97 a new sub area C was created and assessments levied to finance an asphalt overlay of parking lot #1. The total cost of this overlay was \$60,000. One half of this cost (\$30,000) was funded by levying parking assessments on businesses within the sub area over a ten year period which ended in June 2006. There are no proposed parking assessments for sub area C.

The Parking and Business Improvement Area Advisory Board provides oversight and budget recommendations for spending the general business promotion assessments. Examples of expenditures are funding for Project Carpinteria, downtown promotions such as the electric light parade, and Christmas parade, safe Halloween program and various display advertising promoting the downtown.

II. FINANCIAL CONSIDERATIONS:

Assessments for this district remained unchanged from 1991 to 2011 when the general assessment of \$100 was increased to \$115. The number of occupied businesses in the district has declined while the per-space parking assessments have remained constant.

III. LEGAL ISSUES:

Assessments are made on businesses located within the improvement area; not on property owners. As such these assessments are not subject to the provisions of Proposition 218. It is possible to establish a district that is property based making collections through the county property tax roll. Such a district and assessments would however be subject to Proposition 218 requirements.

The following is the sequence of events for continuing this district:

March 24 --- Adopt resolution ordering preparation of a report

April 28 --- Report is presented by staff with recommendations
Adopt resolution accepting report
Adopt resolution of intention to continue district for next year and set for public hearing

May 27 --- Conduct public hearing on proposal to continue district
Adopt resolution continuing the district and levying assessments for Fiscal Year 2014-15

IV. OPTIONS:

1. Levy assessments at the levels discussed above
2. Levy assessments at their current levels with a General Fund subsidy
3. Levy assessments at some intermediate level

4. Direct staff to investigate the possibility of establishing a new property based district.

V. PRINCIPAL PARTIES EXPECTED AT MEETING:
--

None

VI. ATTACHMENTS:

- A. Resolution No. 5507
- B. Exhibit A

Summary of District revenues and expenses for past years, an estimate for the current year and projections for the next year.

RESOLUTION NO. 5507

**A RESOLUTION OF THE
CITY COUNCIL OF THE CITY OF CARPINTERIA
ORDERING THAT A REPORT BE PREPARED
IN ACCORDANCE WITH CHAPTERS 3 AND 4 OF THE
"PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989" OF THE
CALIFORNIA STREETS AND HIGHWAYS CODE, AS AMENDED,
COMMENCING WITH SECTION 36500,
FOR THE ACQUISITION, CONSTRUCTION OR MAINTENANCE OF
PARKING FACILITIES AND OTHER ELIGIBLE IMPROVEMENTS AND
BUSINESS PROMOTION ACTIVITIES
IN THE CENTRAL BUSINESS DISTRICT OF THE CITY OF CARPINTERIA,
FOR THE FISCAL YEAR COMMENCING JULY 1, 2014 AND ENDING JUNE 30, 2015
CARPINTERIA PARKING AND BUSINESS IMPROVEMENT AREA DISTRICT NO. 4**

WHEREAS, the Carpinteria City Council did form an assessment district pursuant to the "Parking and Business Improvement Area Law of 1979"; being Division 18, Part 6 of the Streets and Highways Code of the State of California, commencing with Section 36500; and

WHEREAS, said formation of the Carpinteria Parking and Business Improvement Area District No. 4 was accomplished by adoption of Ordinance No. 393 on September 8, 1986, following public hearings as prescribed by the Parking and Business Improvement Area Law of 1979; and

WHEREAS, said District No. 4 has been continued in full force and effect in subsequent fiscal years; and

WHEREAS, effective January 1, 1990, said Parking and Business Improvement Area Law of 1979 was repealed by the State of California and replaced by the Parking and Business Improvement Area Law of 1989, being Division 18 of Part 6 (commencing with Section 36500) of the California Streets and Highways Code; and

WHEREAS, Article 3 of Chapter 1 of said 1989 Improvement Area Law (Section 36515) provides that any Parking and Business Improvement Area created prior to January 1, 1990, under the prior 1979 law, continues to be in full force and effect, subject to certain conditions, under the 1989 law; and

WHEREAS, Chapter 3 (Assessments) and Chapter 4 (Modification of Boundaries) of said 1989 Improvement Area Law (commencing with Section 36530) prescribes the process for levying assessments, including appointment of an advisory board and requires said board to make a report to the City Council on all matters relating to said Improvement Area prior to the City Council taking any action on said assessments or boundaries for the next fiscal year starting July 1, 2014 ; and

WHEREAS, it is necessary for the public safety, convenience and economic health of the City that efforts to provide off-street public parking and other improvements and business promotion activities within the central business district be continued; and

WHEREAS, the City Council wishes to consider continuing the existing Parking and Business Improvement Area District No. 4 for Fiscal Year 2014-15 including the various programs and assessments associated therewith.

NOW, THEREFORE, THE CARPINTERIA CITY COUNCIL DOES HEREBY RESOLVE, DETERMINE AND ORDER that a Report be prepared by the Parking and Business Improvement Area Advisory Board pursuant to Chapters 3 and 4 of the California Parking and Business Improvement Area Law of 1989, being Part 6 of Division 18 (commencing with Section 36530) of the California Streets and Highways Code, for the fiscal year starting July 1, 2014 and ending June 30, 2015, including programs for the acquisition, construction or maintenance of off-street public parking and such other eligible improvements and business promotion activities, including proposed assessments and boundary adjustments, if any.

PASSED, APPROVED AND ADOPTED this 24th day of March 2014 by the following called vote:

AYES: COUNCIL MEMBER:

NOES: COUNCIL MEMBER:

ABSENT: COUNCIL MEMBER:

Mayor, City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 24th day of March 2014.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

City Attorney

FUND 38
PARKING AND BUSINESS IMPROVEMENT AREA DISTRICT NO 4

	ACTUAL 2010-11	ACTUAL 2011-12	ACTUAL 2012-13	BUDGET 2013-14	PROJECTED 2014-15
A. SUMMARY OF FUND TRANSACTIONS:					
Fund Balance; July 1	18,346	19,153	20,301	16,678	16,867
Fiscal Year Revenues	26,740	27,829	25,248	30,138	29,703
Fiscal Year Expenditures	25,933	26,681	28,871	29,949	33,249
Fund Balance; June 30	19,153	20,301	16,678	16,867	13,321
Revenue Over/(Under) Expense	807	1,148	(3,622)	189	(3,546)

B. BALANCE SHEET, JUNE 30

ASSETS:					
Cash in Savings	21,144	21,144	20,679	16,867	13,321
Time Deposits	0	0	0	0	0
Accounts Receivable	0	0	0	0	0
*Total Assets>>>>>>>>>>>>>>>>	21,144	21,144	20,679	16,867	13,321
LIABILITIES AND FUND BALANCE					
Accounts Payable	1,991	1,991	4,000	0	0
Fund Balance	19,153	20,301	16,678	16,867	13,321
*Total Liabilities & Fund Balance>>	21,144	22,292	20,678	16,867	13,321

C. FISCAL YEAR REVENUE DETAIL:

Use of Money & Property	516	501	58	384	384
Assessment General BusinessDistrict	11,800	13,232	14,397	13,935	13,500
Parking Lot Assessment	14,424	14,096	10,793	15,819	15,819
Transfers In	0	0	0	0	0
*Total Revenues>>>>>>>>>>>>>>>	26,740	27,829	25,248	30,138	29,703

D. FISCAL YEAR EXPENDITURE DETAIL:

Parking Lot #2 Payments					
Project Carpinteria					
Business Promotion/Revitalization	8,684	9,432	11,622	12,700	16,000
Parking Lot Maintenance	0	0	0	0	0
Parking Lot #3 Debt	17,249	17,249	17,249	17,249	17,249
Other Operating Expense	0	0	0	0	0
*Total Operating Expense>>>	25,933	26,681	28,871	29,949	33,249
Linden Avenue	0	0	0	0	0
Public Restroom					
*Total Capital Outlay Expense>>>>	0	0	0	0	0
*Total Expenditures>>>>>>>>>>>>	25,933	26,681	28,871	29,949	33,249

EXHIBIT A

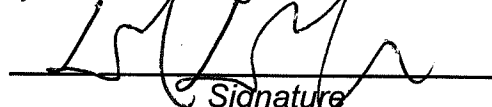
STAFF REPORT
COUNCIL MEETING DATE:
March 24, 2014

ITEM FOR COUNCIL CONSIDERATION:

Adoption of Resolution No. 5508 to initiate proceedings to set the annual assessment of the City's Assessment District No. 5.

Report prepared by:
Matthew Roberts, Parks and Recreation Director


Signature


Signature

Reviewed by:
Dave Durflinger, City Manager

STAFF RECOMMENDATION:

Action Item: ☒ Non action item: ☐

Adopt Resolution No. 5508

Sample Motion: I move to adopt Resolution No. 5508, as read by title only.

I. BACKGROUND:

The winter protection berm Assessment District No. 5 was formed by Resolution No 3061, dated December 14, 1992. The District funds the annual construction and removal of the winter protection berm along the Carpinteria City Beach. The annual construction and removal is necessary to provide storm wave and coastal flooding protection to the public and private improvements within the District. The District includes all properties immediately adjacent to the City beach from Linden Avenue to Ash Avenue.

This Resolution orders City Staff to prepare the District Report pursuant to Streets and Highways Code 10200 et seq. that will then be presented at a subsequent public meeting. The preparation of the Engineer's Report is the first step in the annual renewal of the District.

II. POLICY:

The City's winter protection berm is an important public safety project that protects public and private property improvements from winter storm waves along the City Beach in the City of Carpinteria.

III. FINANCIAL CONSIDERATIONS:

No financial analysis is included as a part of this staff report.

IV. LEGAL ISSUES:

No legal issues are presented as a part of this report.

V. ATTACHMENTS:

Resolution No. 5508

Resolution No. 5508
A Resolution of the City Council
of the City of Carpinteria
Initiating Proceedings to Set the
Annual Assessment for Assessment District No. 5
(Pursuant to the Municipal Improvement Act of 1913)

The City Council of the City of Carpinteria resolves:

1. The City Council proposes to set the amount of the annual assessment to be collected for the 2014/15 fiscal year pursuant to the Municipal Improvement Act of 1913 (section 10000 and following , Streets and Highways Code) for the purpose of constructing the following improvements:

The annual installation and removal of the Carpinteria Beach Winter Protection Berm project located along the entire length of the Carpinteria City Beach between Linden Avenue on the east to Ash Avenue to the west. The annual winter sand berm project benefits the public and private improvements within the District's boundaries by providing a measure of protection from winter ocean waves and ocean flooding.

2. The funds collected by the proposed assessment are specifically to be used for the Assessment District Number Five project costs, in the City of Carpinteria, Santa Barbara County, California and shall be collected from all the benefitting land shown inside the District's boundaries on the map designated, " Assessment Diagram, Assessment District No. Five, City of Carpinteria, Santa Barbara County, California," which map is on file with the City Clerk and is hereby approved.

3. The Parks and Recreation Director of the City of Carpinteria is hereby designated engineer for the purpose of these formation proceedings. The City Council hereby directs the Parks and Recreation Director to prepare and file with the City Clerk a report in accordance with §10204 of the Municipal Improvement Act of 1913, Streets and Highway Code.

4. Said report shall be filed with the City Clerk and shall be presented to the City Council for Consideration on April 21st, 2014, at 5:30 PM or as soon thereafter as the matter may be heard.

5. This resolution is pursuant to the Streets and Highways Code §10203

PASSED, APPROVED AND ADOPTED, this 24th day of March, 2014 by the following called vote:

AYES: COUNCIL MEMBER:

NOES: COUNCIL MEMBER

ABSENT: COUNCIL MEMBER

Mayor, City of Carpinteria

Attest:

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held this 24th day of March, 2014.

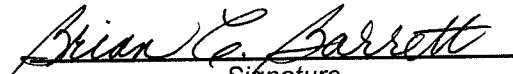
City Clerk, City of Carpinteria

STAFF REPORT
COUNCIL MEETING DATE:
March 24, 2014

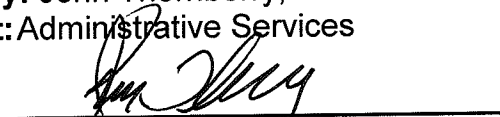
ITEM FOR COUNCIL CONSIDERATION:

RESOLUTION AUTHORIZING FILING OF ANNUAL CLAIM WITH THE SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS FOR 2014-15 TRANSPORTATION DEVELOPMENT FUNDS ALLOCATION.

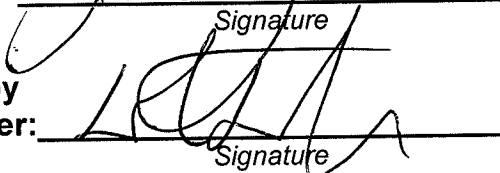
Report prepared by: Brian C. Barrett, Management Analyst
Department: Public Works


Signature

Reviewed by: John Thornberry, Administrative Services Director
Department: Administrative Services


Signature

Reviewed by
City Manager:


Signature

ACTION ITEM X NON-ACTION ITEM

Staff Recommendation: Adopt Resolution No. 5514 authorizing submittal of the Transportation Development Act claim for the fiscal year 2014-15.

Sample Motion: I move to adopt Resolution No. 5514, as read by title only, authorizing submittal of the Transportation Development Act claim for the fiscal year 2014-15.

I. BACKGROUND:

Each year the City is entitled to certain Transportation Development Act (TDA) funds for use on pedestrian and bikeway facilities. The allocation, which is processed through the Santa Barbara Association of Governments (SBCAG), is \$10,147 for Fiscal Year 2014-15. This is

\$139 or 1.4% more than the 2013-14 allocation. As of June 30, 2013 the fund balance was \$30,474. It has been the City's practice, when enough dollars accumulate in the fund, to pursue a maintenance & improvement project which provides for bike path repairs, resurfacing, re-striping and/or related landscaping maintenance.

Adoption of the resolution will enable staff to meet the April 1 deadline for filing of the funding claim.

II. ATTACHMENTS:

- A. TDA Claim Documents A, E and H
- B. Resolution No. 5514

ATTACHMENT A

DOCUMENT A (Instructions on pages 4-3 and 4-4)

TRANSPORTATION DEVELOPMENT ACT CLAIM FORM
(All claimants must complete this document)

Line

- 1 Project Year (FY) 2014-15
- 2 Claimant City of Carpinteria
- 3 Address 5775 Carpinteria Ave.
- 4 Contact Person John Thornberry Title Administrative Services Director
- 5 Telephone Number (805) 684-5405 x448
- 6 The above named claimant hereby applies for allocations of Transportation Development Act funds for FY 2014-15 for the purposes and in the amount(s) specified below:

Purpose	Apportionment	Claimed
Local Transportation Fund		
Regional Transportation Planning (PUC 99262 & 99402)		\$ -
less amount released to SBCAG	minus	\$ -
8 Pedestrian & Bikeway Facilities (PUC 99234)	\$ 10,147.00	\$ 10,147.00
9 Articles 4 & 8:		
less amounts released to:		
10	minus	
11	minus	
12	minus	
plus amounts released from:		
13	plus	
14	plus	
15	plus	
16 Article 4 Transit (PUC 99260)		\$ -
17 Article 4.5 Community Transit (PUC 99275)		\$ -
18 Article 8a Streets & Roads (PUC 99400a)		
19 Article 8c Transit Contracts (PUC 99400c)		
20 TOTAL LTF	\$ 10,147.00	\$ 10,147.00
21 Amount to be held in reserve (CCR 6648)		
By Claimant By SBCAG		
State Transit Assistance		
22 Transportation Planning		
23 Mass Transportation		
24 TOTAL STA		\$ -

DOCUMENT A (Continued)

25 TOTAL TRANSPORTATION DEVELOPMENT ACT CLAIM
(add lines 20 and 24)

\$ 10,147.00

Claimant acknowledges that payment by the County Auditor of an allocation made by the Association of Governments is subject to such monies being on hand and available for distribution and to the provision that such moneys be used only in accordance with the terms of the allocation instruction issued by the Association of Governments

26 By: John Thornberry
27 Title: Administrative Services Director
28 Date: 24-Mar-14

I hereby attest to the reasonableness and accuracy of the financial statements included in Documents C, D, F, and G. (Sec. 6632)

29 Signed: 
Chief Financial Officer
30 Name: John Thornberry
31 Title: Administrative Services Director

Reference: CCR Section 6630

DOCUMENT E (Instructions on page 4-9)

PROJECT DESCRIPTION & REGIONAL TRANSPORTATION PLAN CONFORMITY
(All claimants must complete this document)

Complete sections for **every article** under which you are claiming TDA funds.

ARTICLE 3 BIKE/PED CLAIMS [Cities and County]

Describe how you plan to use LTF Article 3 Bike/Ped funds. Include, as applicable, location, type of bike facility, length of project (if bike lane), construction start date, and expected date of opening.

Pedestrian and bikeway maintenance projects

List the corresponding RTP project and/or page numbers.

List the corresponding local bicycle plan project and/or page numbers.

ARTICLE 4 TRANSIT CLAIMS [COLT, Guadalupe, SBMTD, SMAT, and SYVT]

Describe how you plan to use LTF Article 4 Transit funds. Include, as applicable, type of project, construction start date, expected date of opening.

List the corresponding RTP project and/or page numbers.

ARTICLE 4.5 COMMUNITY TRANSIT SERVICES CLAIMS [Easy Lift and SMOOTH]

Describe how you plan to use LTF Article 4.5 CTSA funds. Include, as applicable, type of project, construction start date, expected date of opening.

List the corresponding RTP project and/or page numbers.

ARTICLE 8(c) TRANSIT CLAIMS [County only]

Describe how you plan to use LTF Article 8 Transit funds. Include, as applicable, type of project, construction start date, expected date of opening.

List the corresponding RTP project and/or page numbers.

ARTICLE 8(a) STREETS AND ROADS CLAIMS [Cities and County, if applicable]

Describe how you plan to use LTF Article 8 Streets/Roads funds. Include, as applicable, type of project, construction start date, expected date of opening.

Reference: CCR Section 6651

DOCUMENT H (Instructions on page 4-15)

STANDARD ASSURANCES FOR APPLICANTS – LTF
(All claimants must complete this document)

CLAIMANT ASSURANCES: Initial Each Section or Indicate N/A.

- N/A 1) Claimant certifies it has submitted a satisfactory, independent fiscal audit, with required certification statement, to SBCAG and to the State Controller, pursuant to PUC 99245 and 21 CCR 6664, for the prior fiscal year (project year minus two). Claimant also assures this audit requirement will be completed for the current fiscal year (project year minus one).

Date of submittal to State Controller: _____

Date of submittal to SBCAG: _____

Applies to SBMTD, Easy Lift, and SMOOTH. SBCAG contracts for and submits fiscal audits for all other TDA claimants.

- N/A 2) Claimant certifies that, per SBCAG Resolution 90-1, no more than 50% of the CTSA's operating budget for the year came from LTF. Claimant also certifies that its fiscal audit contains verification of this limitation (e.g., "[Easy Lift/SMOOTH] is [not] in compliance with requirement, per SBCAG Resolution 90-1, that no more than 50% of [Easy Lift's/SMOOTH's] operating budget for the year came from Local Transportation Funds.>").

Applies to Article 4.5 (CTSAs)

- N/A 3) Claimant certifies it has submitted an annual report, documenting agency operations, in conformance with the uniform system of accounts and records, to SBCAG and to the State Controller, pursuant to PUC 99243, for the prior year (project year minus two). Claimant assures this report will be audited by an independent CPA. Claimant also assures this report will be completed for the current fiscal year (project year minus one).

Date of submittal to State Controller: _____

Date of submittal to SBCAG: _____

Applies to Articles 4 (transit), 4.5 (CTSAs), and 8 (transit)

-  4) Claimant certifies it has submitted an annual report, regarding expenditure of funds received, to the State Controller, pursuant to 21 CCR 6665, for the prior year (project year minus two). Claimant assures this report will be audited by an independent CPA. Claimant also assures this report will be completed for the current fiscal year (project year minus one).

Date of submittal to State Controller: 11/18/2013

Applies to Articles 3 (bike/ped) and 8 (streets/roads)

- 5) Claimant certifies that (initial one):

N/A a) the current cost of its retirement system is fully funded with respect to the officers and employees of its public transportation system (PUC 99271(a)); or

N/A b) the operator is implementing a plan approved by SBCAG which will fully fund the retirement system for such officers and employees within 40 years (PUC 99271(a)); or

N/A c) the operator has a private pension plan which sets aside and invests, on a current basis, funds sufficient to provide for the payment of future pension benefits and which is fully compliant with the requirements stated in PUC 99272 and 99273.

Applies to Articles 4 (transit), 4.5 (CTSAs), and 8 (transit)

- N/A 6) Claimant certifies that, pursuant to PUC 99264, it does not routinely staff, with two or more persons, a vehicle for public transportation purposes designed to be operated by one person.

Applies to Articles 4 (transit), 4.5 (CTSAs), and 8 (transit)

DOCUMENT H (Continued)
(Instructions on page 4-15)

- N/A 7) Claimant certifies that the transit operator's operating budget has not increased more than 15% over the preceding year, and does not include a substantial increase or decrease in scope of operations or capital budget provisions for major new fixed facilities. **If the budget does include such changes, documentation is attached** that identifies and substantiates the reason and need for the changes, pursuant to PUC 99266, CCR 6632(b). E.g., if there is a substantial change between the capital expenditures proposed in this claim and those described in the claimant's Short Range Transit Plan (SRTP) or Transit Development Program (TDP), the claimant must provide a statement that substantiates the need for this change. If the claimant has neither a SRTP nor a TDP, the claimant must provide a statement that describes the need for the proposed capital expenditure.
ATTACHMENTS MAY BE REQUIRED
Applies to Articles 4 (transit), 4.5 (CTSAs), and 8 (transit)
- N/A 8) Claimant certifies that **attached is certification from the Department of California Highway Patrol** (CHP), completed within the last 13 months, that indicates the operator is in compliance with Section 1808.1 of the Vehicle Code. Section 1808.1 of the Vehicle Code requires, among other things, that operators participate in a pull notice system for obtaining current driver records from the Department of Motor Vehicles.
ATTACHMENTS REQUIRED
Applies to Articles 4 (transit), 4.5 (CTSAs), and 8 (transit)
- N/A 9) Claimant certifies it is in compliance with PUC 99155: if it offers reduced fares to seniors, it offers the same reduced rate to disabled persons, handicapped persons, and disabled veterans, and it honors the federal Medicare card for identification to receive reduced fares.
Applies to Articles 4 (transit), 4.5 (CTSAs), and 8 (transit)
- N/A 10) Claimant certifies it is in compliance with PUC 99155.5: dial-a-ride and paratransit services are accessible to handicapped persons and the service is provided to persons without regard to vehicle ownership and place of residence.
Applies to Articles 4 (transit), 4.5 (CTSAs), and 8 (transit)
- N/A 11) Claimants that contract with another entity or entities for transit service certify that a copy of **the contract negotiated with that entity is attached**, pursuant to CCR 6630.
ATTACHMENTS REQUIRED
Applies to Articles 4 (transit) and 8 (transit)
- N/A 12) Claimant certifies that, per SBCAG Resolution 90-1, **attached to this claim is an operations plan and budget** that describes existing and proposed service, and report on progress of coordination and consolidation objectives.
ATTACHMENTS REQUIRED
Applies to Article 4.5 (CTSAs)
- N/A 13) Claimant certifies that, per SBCAG Resolution 90-1, it has **attached** an agreement to indemnify and hold harmless SBCAG from any claims, judgments or liabilities against the claimant. Claimant certifies it has also **attached proof of insurance coverage**, with limits of general liability to be specified.
ATTACHMENTS REQUIRED
Applies to Article 4.5 (CTSAs)
- N/A 14) Claimant certifies that in its TDA claim, not less than 5% of the amount claimed under Article 4 will be expended for demand-response service for the elderly and individuals with disabilities, per SBCAG Resolution 90-1.
Applies to Articles 4 (transit) in service areas without a designated CTSA [COLT, SYVT]

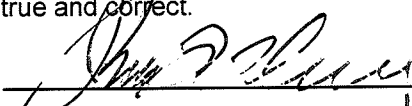
DOCUMENT H (Continued)
(Instructions on page 4-15)

N/A 15) If SBCAG has found that there are unmet transit needs that are reasonable to meet within its jurisdiction, the claimant certifies it has attached a summary of the actions it plans to take to meet the needs.

ATTACHMENTS MAY BE REQUIRED
Applies to Article 8 (streets/roads)

The undersigned (must be the individual named in the authorizing resolution) hereby certifies that the above statements are true and correct.

Signature:



Name:

John Thornberry

Title:

Administrative Services Director

Date:

March 24, 2014

ATTACHMENT B

RESOLUTION NO. 5514

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CARPINTERIA
AUTHORIZING THE FILING OF A CLAIM WITH THE
SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS
FOR
ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT FUNDS
FOR FISCAL YEAR 2014-15**

WHEREAS, the Transportation Development Act (TDA), as amended (Public Utilities Code Section 99200 et seq.), provides for the allocation of funds from the Local Transportation Fund and the State Transit Assistance Fund, for use by eligible claimants for various transportation purposes; and

WHEREAS, pursuant to the provisions of the TDA, as amended, and pursuant to the applicable rules and regulations thereunder (Cal. Code of Regulations Sections 6600 et seq.), a prospective claimant wishing to receive an allocation from the Local Transportation Fund or the State Transit Assistance Fund shall file its claim with the Santa Barbara County Association of Governments.

NOW, THEREFORE, BE IT RESOLVED that John Thornberry, Administrative Services Director is authorized to execute and file an appropriate claim pursuant to the terms of the Transportation Development Act, as amended, and pursuant to applicable rules and regulations promulgated thereunder, together with all necessary supporting documents, with the Santa Barbara County Association of Governments for an allocation of TDA funds in Fiscal Year 2014-15.

BE IT FURTHER RESOLVED that authorized claim includes \$10,147 for pedestrian and bicycle facilities.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to the Santa Barbara County Association of Governments in conjunction with the filing of the claim.

PASSED, APPROVED AND ADOPTED this 24th day of March, 2014, by the following called votes:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

Mayor, City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 24th day of March, 2014.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

City Attorney

STAFF REPORT
COUNCIL MEETING DATE
March 24, 2014

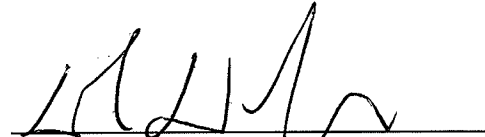
ITEM FOR COUNCIL CONSIDERATION

Review of home sales prices and adjusting the in-lieu affordable housing fee pursuant to Carpinteria Municipal Code §14.75 Inclusionary Housing Requirement.

Report prepared by: Jackie Campbell
Community Development Director


Signature

Reviewed by: Dave Durlinger
City Manager


Signature

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

Recommendation: Receive and file the report on the City's home sales prices for 2013 and set the affordable housing in-lieu fee for condominiums and single family dwellings in 2014.

Sample Motion: Adopt Resolution No. 5513, as read by title only, setting the affordable housing in-lieu fees for condominiums and single family dwellings in 2014.

I. BACKGROUND

In June 2004, the City Council adopted the Inclusionary Housing Ordinance and approved an In-lieu Fee Program codified at Carpinteria Municipal Code Section 14.75. The In-lieu Fee Program is based on a formula used by the City of Santa Barbara that includes the median sales price of condominiums and single family dwellings for the prior year, the median household income for the County of Santa Barbara and current mortgage interest rates to determine the appropriate in-lieu fee. The current in-lieu fees were established by Resolution No. 5446 at \$194,600 for Single Family Residential and \$83,400 for Condominium Residential. The Inclusionary Housing Ordinance states that

the City Council may update the in-lieu fee annually to allow the fee to stay current with median housing prices, median incomes and mortgage interest rates.

II. ANALYSIS

In-lieu Fee: The Inclusionary Housing Requirements provide that the City Council must first determine that the construction of onsite inclusionary units is infeasible before a housing developer may pay an in-lieu fee. The Inclusionary Requirements establish the in-lieu fee as an amount sufficient to make up the monetary gap between the median sales price of a unit and the housing price affordable to a household earning 121% of the area median income.

Median Sales Prices: To determine the median sales price of units sold in 2013, Community Development staff accessed the County Assessor's records. The data showed the sales of 83 single family dwellings and 87 condominiums recorded in 2013 within the City of Carpinteria. The median sale price was \$775,000 for single family dwellings and \$450,000 for condominiums (see Attachments 2 and 3 for details). These numbers represent market rate homes only. There were an additional eight condominiums sold at affordable levels within the Lagunitas Homes development. These units were not included in the median sales price calculation as the sale and resale prices are restricted through the City's Inclusionary Housing Requirements.

By way of background, there were 60 single family dwelling sales in 2012 with a median price of \$612,500 and 62 condominium sales at a median price of \$361,000. When the number of residential units at Lagunitas Homes are factored in, these statistics show consistency in the number of sales of each housing type and an increase in the median sale price for both single family dwellings and condominiums in Carpinteria. These trends are consistent with both regional and national trends in home prices in 2013.

County Area Median Income: The Santa Barbara County annual area median income (AMI) was recently updated from \$71,041 to \$72,756 (rounded to \$72,800) for a household of four. The City's Inclusionary Housing Requirements provide that in-lieu housing fees should be set for a household of four persons that earns 121% of the area median income. Therefore, the AMI of \$72,800 has been used in these in-lieu fee calculations.

Using the adopted in-lieu fee formula with the updates described above, the 2013 in-lieu fee for single family dwellings and condominiums is calculated as shown below.

2014 Single Family Dwelling In-lieu Fee

\$775,000 (median 2013 SFD sale price)
minus \$440,200 (sale price for 121% of median income)
equals **\$334,800 In-lieu Fee**

2014 Condominium In-lieu Fee

\$450,000 (median 2013 condominium sale price)
minus \$360,200 (sale price for 121% of median income)
equals **\$ 89,800 In-lieu Fee**

City Council Resolution No. 5513 (Attachment 1, Exhibits A and B) shows these calculations in more detail.

III. FINANCIAL CONSIDERATIONS

There is no anticipated significant financial impact to the City as a result of establishing the Inclusionary Housing In-lieu Fee. There is no fund balance in the In-lieu Fee Fund as no projects have been authorized to pay an in-lieu fee.

IV. LEGAL ISSUES

Adoption of the In-lieu Fees set forth in Resolution No. 5513 is exempt from the provisions of the California Environmental Quality Act pursuant to 14.Cal. Code of Regulations §378 as the adoption of the fees does not involve a commitment to any specific project or course of action that may result in a potentially significant impact on the environment.

V. ALTERNATIVE

Direct staff to make modifications as deemed appropriate to the In-lieu Fee calculations and revise the Resolution to include these changes.

VI. ATTACHMENTS

1. Resolution No. 5513 Setting In-lieu Fees for 2014
Exhibit A - Single Family Dwelling In-lieu Fee Calculation
Exhibit B - Condominium Unit In-lieu Fee Calculation
2. 2013 Single Family Dwelling Sales
3. 2013 Condominium Sales

Attachment 1

City Council Resolution No. 5513

2014 In-Lieu Affordable Housing Fee

**City Council Hearing
March 24, 2014**

RESOLUTION NO. 5513

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA ADOPTING IN-LIEU HOUSING FEES FOR 2014 ASSOCIATED WITH THE INCLUSIONARY HOUSING REQUIREMENTS OF CHAPTER 14.75 OF THE CARPINTERIA MUNICIPAL CODE

WHEREAS, the City of Carpinteria adopted Ordinance 590 adding Chapter 14.75 of the Carpinteria Municipal Code, which establishes an inclusionary housing requirement for all new residential developments of five or more units that require a subdivision map; and

WHEREAS, the City's inclusionary housing program focuses on the creation of new residential units that are affordable to above-moderate income households earning between 121% and 200% of the area median income; and

WHEREAS, the inclusionary program requires that all new residential development that falls within the requirements of Chapter 14.75 of the Carpinteria Municipal Code provide 12% of the total residential units at a price affordable to a household earning 121% of the area median income, or if the City Council finds that the provision of onsite inclusionary housing is infeasible, the applicant may pay an in-lieu fee; and

WHEREAS, the City retained Castañeda and Associates, a private consulting firm that specializes in the development of public housing policies and inclusionary housing ordinances, to advise the City on the development and implementation of an inclusionary housing ordinance and associated in-lieu fee; and

WHEREAS, the amount of the in-lieu fee is intended to equal the cost difference between the median sale price of a residential unit in the City and the sale price of a unit affordable to a household earning 121% of the area median income; and

WHEREAS, Carpinteria Municipal Code 14.75.090 requires that the City Council adopt an in-lieu fee for new residential development projects that are subject to Chapter 14.75 of the Carpinteria Municipal Code, but cannot otherwise provide on-site inclusionary housing based on a finding by the City Council; and

WHEREAS, Carpinteria Municipal Code 14.75.090 requires that the in-lieu fee be based on a calculation using the median sales price of single family dwellings and the median sales price of condominiums in the City for the prior year; and

WHEREAS, the in-lieu fee authorized under Carpinteria Municipal Code 14.75 constitutes a traditional land use or zoning enactment regulating the use of property, rather than the imposition of an exaction upon property owners; and

WHEREAS, Carpinteria Municipal Code 14.75 specifies that the City Council may annually review the median sale price for condominium and single family dwellings and based on that review, adjust the in-lieu fee; and

WHEREAS, the City Council has reviewed data from the County Clerk-Recorder for 2013 and determined that the median sales price of single family dwellings and condominiums in the City should be adjusted; and

WHEREAS, the City Council recognizes that the City's housing stock is comprised of detached single family dwellings and condominiums and that there is a cost difference between developing single family units and condominium units; and

WHEREAS, the City Council has considered in-lieu fee calculations to single family dwellings and condominium units (Exhibits A and B) that reflect the appropriate cost for the provision of offsite housing that is affordable to households earning 121% of the area median income; and

WHEREAS, a properly noticed hearing on the adoption of this resolution was held as part of a regularly scheduled meeting of the City Council on March 24, 2014 at 5:30 p.m., at the City Council Chambers located at City Hall, 5775 Carpinteria, California 93013;

NOW, THEREFORE, it is hereby resolved by the City Council of the City of Carpinteria as follows:

SECTION 1. Findings.

The City Council hereby finds as follows:

- A. All provisions set forth above are true and correct and are hereby incorporated by reference as findings.
- B. The purpose of the fees adopted by this resolution is to assist the City in providing affordable housing to meet its housing requirements as set forth in its General Plan, Housing Element and state Regional Housing Needs Assessment.
- C. The fees collected pursuant to this resolution and Ordinance No. 590 shall be used to fund the development, maintenance and oversight of housing affordable to households earning less than 200% of the area median income.
- D. City staff and independent consultants, such as Castañeda and Associates, have presented evidence through staff reports, studies and oral testimony at public hearings that the City cannot provide the requisite number of affordable units without some intervention and City-imposed requirements.
- E. Under the City's Housing Element, new residential development is required to provide a percentage of the total units at an affordable level, and is allowed to satisfy such requirement by payment of an in-lieu fee if

the City Council finds that the applicant is unable to provide such units on-site.

- F. The in-lieu fee constitutes a traditional land use or zoning enactment regulating the use of property, rather than the imposition of an exaction upon property owners.
- G. The price estimates and cost calculations set forth in the fees adopted by this resolution are reasonable estimates based on the best available data.
- H. The fees set forth and adopted herein are consistent with the City's General Plan/Coastal Plan, and the Council has considered the effects of the fee with respect to the City's housing needs (as established in the Housing Element of the General Plan) and regional housing needs.

SECTION 2. In-lieu Fee for Single Family Residential Development. The amount of the in-lieu fee created and imposed by this resolution and pursuant to Ordinance No. 590 for development projects including single family dwelling units is hereby established as \$334,800. A schedule of said in-lieu fees that the City Council hereby adopts is attached hereto as Exhibit A dated March 24, 2014 and incorporated herein by reference as though set forth in full. The fee amount set forth in Exhibit A shall be imposed on those new residential developments that include single family residential development, as defined in Ordinance No. 590, and which the City Council determines cannot provide the necessary inclusionary housing onsite.

SECTION 3. In-lieu Fee for Condominium Projects. The amount of the in-lieu fee created and imposed by this resolution and pursuant to Ordinance No. 590 for development projects including condominium units is hereby established as \$89,800. A schedule of said in-lieu fees that the City Council hereby adopts is attached hereto as Exhibit B dated March 24, 2014 and incorporated herein by reference as though set forth in full. The fee amount set forth in Exhibit B shall be imposed on those new residential developments that include condominium units, as defined in Ordinance No. 590, and which the City Council determines cannot provide the necessary inclusionary housing onsite.

SECTION 4. Resolution Subject to Underlying Ordinances. The provisions of this resolution are subject and subordinate to the provisions of Carpinteria Municipal Code Chapter 14.75 and shall at all times be construed and applied consistent therewith as the same presently exists or may from time to time hereafter be amended.

SECTION 5. Effective Date. This resolution shall be in full force and effect thirty (30) days after its adoption.

SECTION 6. Exemption from Environmental Review. Adoption of the fees set forth herein is exempt from the provisions of the California Environmental Quality Act pursuant to 14 Cal. Code of Regulations §378 because the adoption of said fees does not involve a commitment to any specific project or course of action that may result in a potentially significant impact on the environment.

SECTION 7. Severability. If any section, subsection, sentence, clause, phrase or portion of this resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the resolution. The City Council hereby declares that it would have adopted this resolution, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

NOW, THEREFORE, the Carpinteria City Council hereby resolves that the In-lieu Fees associated with the Inclusionary Housing Requirements of Chapter 14.75, using best available 2013 data, are \$334,800 for a single family dwelling and \$89,800 for a condominium unit as shown in Exhibits A and B attached hereto are hereby adopted.

PASSED, APPROVED AND ADOPTED this 24th day of March 2014 by the following called vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

Mayor, City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

I hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 24th day of March 2014.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

City Attorney, City of Carpinteria

Exhibit A

March 24, 2014

**2014 In-lieu Fee Calculation
Single Family Dwelling**

Median Income: \$72,800

Median Sale Price for a Single Family Dwelling Sold in Carpinteria in 2013	\$775,000
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Minus	-
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Affordable Sale Price	<u>\$440,200</u>
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In-lieu Fee	\$334,800
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Sale Price Factors

Unit Size Multiplier*	1.05
Housing Cost to Income Ratio	30%
Interest Rate	4.75%
PMI	1.0%
Target Income for Affordability*	\$92,492
Maximum Payment for Housing	\$ 2,312
Amount of Loan this will Amortize	\$385,622
Plus Down Payment	\$ 42,847
Maximum Sale Price	\$440,200

*121% of median income, four-person household, three bedrooms

Exhibit B

March 24, 2014

2014 In-lieu Fee Calculation Condominium Dwelling

Median Income: \$72,800

Median Sale Price for a Condominium Dwelling Sold in Carpinteria in 2013	\$450,000
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Minus	-
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Affordable Sale Price	<u>\$360,200</u>
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In-lieu Fee	\$89,800
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Sale Price Factors

Unit Size Multiplier*	1.05
Housing Cost to Income Ratio	30%
Interest Rate	4.75%
PMI	1.0%
Target Income for Affordability*	\$92,492
Maximum Payment for Housing	\$ 2,312
Amount of Loan this will Amortize	\$313,068
Plus Down Payment	\$ 34,785
Maximum Sale Price	\$360,200

*121% of median income, four-person household, three bedrooms

Attachment 2

2013 Single Family Dwelling Sales

**City Council Hearing
March 24, 2014**

2013 SFD Sales

Date of Sale	Site Address	Number of Bedrooms	Sale Price \$
1/10/2013	4430 Catlin Circle	2	419,000
1/11/2013	5367 Ogan Road	4	799,000
1/16/2013	1272 Byrnes Lane	3	581,000
01/23/2013	1539 Jay Street	3	540,500
01/23/2013	5559 Canalino Drive	3	849,000
02/12/2013	1491 Namouna Street	3	609,000
02/19/2013	5451 Shemara Street	5	825,000
02/20/2013	4868 El Carro Lane		1,025,000
02/22/2013	1340 Post Avenue	5	450,500
02/22/2013	1310 Trieste Lane	3	650,000
02/27/2013	1397 Vallecito Place	2	600,000
03/01/13	4844 El Carro Lane	3	929,000.00
03/26/13	5631 Canalino Drive	4	890,000.00
03/26/13	5555 Calle Ocho	2	799,000.00
04/02/13	1583 Meadow Circle	3	565,000.00
04/10/13	5124 Cambridge Lane	2	645,000.00
04/12/13	5225 Vallecito Court	6	840,000.00
04/24/13	1479 Sterling Avenue	3	636,500.00
04/30/13	5420 Cameo Road	4	721,500.00
05/02/13	5343 Ogan Road	3	680,000.00
05/07/13	5544 Calle Arena	4	949,000.00
05/17/13	1053 Vallecito Road	5	455,000.00
05/20/13	5512 Calle Arena	3	776,000.00
05/22/13	1330 La Manida	3	680,000.00
05/30/13	4731 Fourth Street	3	925,000.00
05/30/13	1550 Myra Street	3	644,000.00
06/06/13	6391 Lagunitas Court	3	709,000.00
06/06/13	6371 Lagunitas Court	3	792,000.00
06/07/13	5435 Hales Lane	3	825,000.00
06/07/13	6387 Lagunitas Court	4	775,000.00
06/11/13	1539 Jay Street	3	540,500.00
06/11/13	6395 Lagunitas Court	3	727,500.00
06/19/13	1472 La Paloma Drive	4	665,000.00
06/19/13	1406 Carnation Place	3	299,500.00
06/26/13	1359 Tomol Drive	4	632,000.00
06/27/13	6375 Lagunitas Court	4	855,000.00
06/28/13	1274 La Brea Lane	4	855,000.00
06/28/13	1373 Cramer Circle	3	561,000.00
07/09/13	6399 Lagunitas Court	3	825,000.00
07/09/13	546 Arbol Verde Street	3	790,000.00
07/16/13	1140 Calle Lagunitas	3	800,500.00
07/24/13	1405 Linhere Drive	3	550,000.00
07/26/13	1132 Calle Lagunitas		775,000.00
07/31/13	6383 Lagunitas Court		883,000.00
08/08/13	1314 Vallecito Place	3	595,000.00
08/13/13	1128 Calle Lagunitas	4	887,500.00
08/16/13	6367 Lagunitas Court	3	800,000.00

2013 SFD Sales

08/16/13	1124 Calle Lagunitas	3	839,000.00
08/16/13	5671 Calle Pacific	3	800,000.00
08/21/13	1136 Calle Lagunitas		896,000.00
08/30/13	1125 Calle Lagunitas	3	763,000.00
09/04/13	1340 Post Avenue	5	340,000.00
09/09/13	4643 Carpinteria Avenue	2	403,000.00
09/10/13	1260 Cravens Lane	3	685,000.00
09/11/13	1350 Tomol Drive	3	625,000.00
09/17/13	1274 La Pala Lane	3	625,000.00
09/26/13	6356 Lagunitas Court		932,500.00
09/26/13	4516 El Carro Lane	3	628,000.00
09/27/13	6364 Lagunitas Court		895,000.00
09/30/13	1275 Vallecito Road	3	626,000.00
10/03/13	6372 Lagunitas Court	3	940,000.00
10/04/13	4910 El Carro Lane	4	959,000.00
10/08/13	6360 Lagunitas Court		998,000.00
10/09/13	6376 Lagunitas Court		952,000.00
10/11/13	6384 Lagunitas Court		967,500.00
10/14/13	6396 Lagunitas Court	4	995,000.00
10/14/13	6392 Lagunitas Court	3	937,000.00
10/14/13	6368 Lagunitas Court		943,000.00
10/16/13	6380 Lagunitas Court		968,500.00
10/16/13	1121 Calle Lagunitas	3	717,000.00
10/16/13	1580 Sea Coast Way	2	695,000.00
10/17/13	5664 Fiesta Drive	4	847,000.00
10/23/13	6388 Lagunitas Court		947,000.00
10/28/13	954 Concha Loma Drive		685,000.00
10/31/13	4910 Malibu Drive	3	540,000.00
11/15/13	1158 Church Lane	3	690,000.00
12/06/13	1372 Vallecito Road	2	890,000.00
12/17/13	1275 Vallecito Road	3	721,000.00
12/18/13	1370 Sterling Avenue	3	765,000.00
12/19/13	4924 El Carro Lane	3	977,000.00
12/19/13	6379 Lagunitas Court	3	886,000.00
12/19/13	1468 Azalea Drive	5	575,000.00
12/20/13	1336 Vallecito Place	2	655,000.00

83 Sales

27 Lagunitas

Attachment 3

2013 Condominium Sales

**City Council Hearing
March 24, 2014**

2013 Condominium Sales

Date of Sale	Site Address	Number of Bedrooms	Sale Price \$
01/04/2013	1151 CALLE LAGUNITAS	2	\$471,000
01/18/2013	1231 FRANCISCAN CT #3	3	\$415,000
01/23/2013	1137 CALLE LAGUNITAS	3	\$643,000
01/31/2013	1281 FRANCISCAN CT #8	2	\$295,000
02/14/2013	4902 SAWYER AVE	2	\$450,000
02/15/2013	1231 FRANCISCAN CT #6	3	\$403,500
02/20/2013	4455 CARPINTERIA AVE #H	3	\$585,000
02/21/2013	6075 JACARANDA WAY #A	2	\$345,000
02/28/2013	5940 HICKORY ST #3	2	\$200,000
03/01/13	1006 Palmetto Way #H	2	299,000.00
03/01/13	5175 Eighth Street #B	1	350,000.00
03/13/13	6015 Jacaranda Way #D	3	419,000.00
03/13/13	1011 Bailard Avenue #1	2	177,500.00
03/13/13	5966 Hickory Street #1	2	300,000.00
03/13/13	220 Elm Avenue #13	1	445,000.00
03/15/13	5940 Hickory Street #4	2	240,000.00
03/19/13	5931 Hickory Street #2	2	272,000.00
03/22/13	231 Linden Avenue #18	1	427,000.00
03/29/13	5925 Hickory Street #1	2	279,000.00
04/04/13	5926 Hickory Street #1	2	245,000.00
04/05/13	4700 Sandyland Road #2	1	739,500.00
04/18/13	5455 Eighth Street #32	2	325,000.00
04/22/13	5446 Eighth Street #17	3	465,000.00
05/01/13	4804 Sawyer Avenue	2	410,000.00
05/03/13	4523 Carpinteria Avenue #A	2	539,000.00
05/08/13	4527 Carpinteria Avenue #G	1	420,000.00
05/15/13	4505 Carpinteria Avenue #D	2	590,000.00
05/20/13	4505 Carpinteria Avenue #G	2	586,500.00
05/23/13	4505 Carpinteria Avenue #A	3	742,000.00
05/23/13	4880 Sandyland Road #31	1	422,500.00
05/29/13	4363 Carpitneria Avenue #5	3	725,000.00
06/07/13	4357 Carpinteria Avenue #3	1	525,000.00
06/18/13	220 Elm Avenue #16	1	419,000.00
06/19/13	4401 Catlin Circle #B	3	431,500.00
06/07/13	5916 Hickory Street #1	2	300,000.00
06/20/13	1131 Calle Lagunitas	2	494,000.00
06/12/13	1133 Calle Lagunitas	3	636,000.00
06/13/13	1129 Calle Lagunitas	3	641,000.00
06/26/13	1163 Calle Lagunitas	3	586,500.00
06/18/13	1175 Calle Lagunitas	3	589,000.00
06/18/13	1173 Calle Lagunitas	3	591,500.00
06/18/13	1179 Calle Lagunitas	3	597,500.00
07/09/13	5950 Birch Street #4	2	300,000.00
07/30/13	6027 Jacaranda Way #H	3	420,000.00
07/03/13	1191 Calle Lagunitas	2	470,000.00
07/05/13	1189 Calle Lagunitas	3	615,000.00
07/09/13	1199 Calle Lagunitas	2	471,000.00
07/26/13	1195 Calle Lagunitas	3	592,000.00

2013 Condominium Sales

07/08/13	1197 Calle Lagunitas	3	623,500.00
07/10/13	6351 Lagunitas Court	2	469,500.00
07/11/13	6353 Lagunitas Court	3	602,000.00
07/17/13	6357 Lagunitas Court	3	627,000.00
07/18/13	6359 Lagunitas Court	3	629,500.00
07/19/13	5455 Eighth Street #19	3	435,000.00
07/22/13	5455 Eighth Street #52	2	393,000.00
07/24/13	5455 Eighth Street #92	2	370,000.00
07/26/13	4455 Carpinteria Avenue #D	3	585,000.00
07/30/13	1245 Franciscan Court #5	3	585,000.00
08/01/13	1231 Franciscan Court #6	3	575,000.00
08/06/13	5930 Hickory Street #4	3	315,000.00
08/09/13	5935 Birch Street #3	2	290,000.00
08/15/13	5936 Birch Street #2	2	290,000.00
08/16/13	5956 Via Real #2	2	220,000.00
08/16/13	4523 Carpinteria Avenue #E	2	575,000.00
08/20/13	4527 Carpinteria Avenue #G	1	425,500.00
08/27/13	1260 Franciscan Court #3	2	430,000.00
08/27/13	1261 Franciscan Court #5	3	485,000.00
08/29/13	4825 Sandyland Road #6	2	1,049,000.00
09/06/13	5926 Via Real #1	2	300,000.00
09/18/13	4246 Carpinteria Avenue #3	3	549,000.00
09/20/13	5455 Eighth Street #8	3	456,000.00
09/24/13	5455 Eighth Street #29	2	441,000.00
09/27/13	4414 Catlin Circle #A	3	544,000.00
10/04/13	5950 Via Real #2	2	320,000.00
10/04/13	1048 Palmetto Way #F	3	475,000.00
10/11/13	6051 Jacaranda Way #D	3	400,000.00
10/14/13	4946 Sawyer Avenue	2	425,000.00
10/30/13	4525 Carpinteria Avenue #E	2	595,000.00
10/30/13	1271 Franciscan Court #8	2	419,000.00
10/31/13	4359 Carpinteria Avenue #4	3	725,000.00
11/07/13	6027 Jacaranda Way #1	3	507,000.00
11/14/13	5455 Eighth Street #86	2	385,000.00
11/25/13	4700 Sandyland Road #1	1	699,000.00
11/27/13	130 Ash Avenue #22	1	400,000.00
12/06/13	220 Elm Avenue #15	1	408,000.00
12/13/13	1215 Franciscan Court #5	3	561,000.00
12/20/13	4692 Carpinteria Avenue #27	3	499,000.00

87 Sales

18 Lagunitas

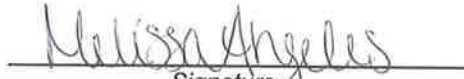
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STAFF REPORT
COUNCIL MEETING DATE:
March 24, 2014

ITEM FOR COUNCIL CONSIDERATION:

Adoption of Resolution No. 5515, approving the recommendations of the City's Traffic Safety Committee made on August 22, 2013 and February 6, 2014.

Report prepared by: Melissa Angeles, Engineering Technician
Department: Public Works


Signature

**Reviewed by
Public Works
Director:**


Signature

**Reviewed by
City Manager:**


Signature

ACTION X NON-ACTION STAFF RECOMMENDATION:

Recommendation: That the City Council adopt Resolution No. 5515, approving recommendations of the Traffic Safety Committee from its meetings of August 22, 2013 and February 6, 2014.

Sample Motion: I move to adopt Resolution No. 5515, as read by title only, approving the recommendations of the Traffic Safety Committee from its meetings of August 22, 2013 and February 6, 2014.

I. BACKGROUND:

The City of Carpinteria established the Traffic Safety Committee as an advisory body to the City Council. The Committee consists of the City Traffic Engineer, Chief of Police or representative, Community Development Director or representative, as well as three citizen representatives, including a senior student representing the school, a representative of the safety committee of the Carpinteria Unified School District, and such other City officials or representatives of Special Districts as may be recommended by the City Manager and approved by the City Council.

The Traffic Safety Committee's role is to provide recommendations to the City Traffic Engineer and to the City Council on traffic safety matters pursuant to C.M.C. Sections 10.08.080 and 10.08.090. The purpose of this agenda matter is for the City Council to receive the recommendations of the Committee and the City Traffic Engineer; and to confirm or modify those recommendations.

The Committee normally meets on a quarterly basis and the meetings are publicly noticed. This gives members of the community a chance to come voice their support or concerns about various traffic operations issues in Carpinteria. In addition to taking public comment, the Traffic Safety Committee considers formal requests made by citizens, traffic improvements and the enforcement of regulations.

II. DISCUSSION:

On August 22, 2013 and February 6, 2014 the Traffic Safety Committee met and considered several traffic safety matters initiated by staff and citizen requests. Based on public input and the discussion of the Traffic Safety Committee, the following recommendations are being forwarded to the City Council.

Matters Considered by the Traffic Safety Committee

The following matter and staff recommendation was included in the August 22, 2013 Traffic Safety Committee (TSC) meeting agenda:

- Red curb request at 5152 El Carro Lane – The Department of Public Works received a red curb request to improve the sight distance at the driveway at 5152 El Carro Lane. Carpinteria Municipal Code prohibits vehicles from parking within six feet of a driveway to provide sight distance when such restricted area is marked with red paint upon the curb surface. Prior to the completion of the El Carro Lane Sidewalk In-Fill Project in 2013, a red curb was installed to the west of the driveway in front of a group of mailboxes on the sidewalk. As part of the project, the mailboxes along with 20 feet of red curb were relocated to the east of the driveway. Staff inspected the area and recommended to the TSC that 6 feet of red curb be installed to the west of the driveway easement at 5152 El Carro Lane and that the existing red curb to the east of the driveway be extended by an additional 10 feet to improve sight distance.

The following matters and staff recommendations were included in the February 6, 2014 Traffic Safety Committee (TSC) meeting agenda:

- Red curb request on Carpinteria Avenue Bridge over Santa Monica Creek – The Department of Public Works received a citizen request to prohibit parking on the Carpinteria Avenue Bridge over Santa Monica Creek. While not formally prohibited, parking on the bridge occurs and impedes the orderly flow of traffic and impairs sight distance for people exiting driveways adjacent to the bridge. Staff inspected the area and recommended to the TSC that 40 feet of red curb be installed on both sides of the Carpinteria Avenue Bridge over Santa Monica Creek and an additional 30 feet along the north side of Carpinteria Avenue west of the bridge.
- Red curb request on Linden Avenue at Meadow View Lane crosswalk – The Department of Public Works received a request to improve the sight distance of pedestrians crossing at the school crosswalk located on Linden Avenue at Meadow View Lane. To the south of the crosswalk, there is adequate red curb on the west side of Linden Avenue to provide for appropriate sight distance. However along the east side of the street, there is not adequate separation between the on-street parking area and the crosswalk. The TSC recommends that 160 feet of red curb be installed along the east side of Linden Avenue, south of the Meadow View Lane school crosswalk.

- Red curb request on Seventh Street, east of the Reynolds/Ninth Street school crosswalk – The Department of Public Works received a red curb request to improve the sight distance for drivers and pedestrians at the school crosswalk located on Seventh Street at Reynolds/Ninth Street. On-street parking is permitted east of and within approximately 20 feet of the crosswalk on both sides of the street, which can impede the visibility of pedestrians and vehicles from each other. Staff inspected the area and recommended that 100 additional feet of red curb be installed on the north side of Seventh Street and 50 additional feet of red curb on the south side of Seventh Street approaching the school crosswalk at Reynolds/Ninth Street.

Recommendations of the Traffic Safety Committee

Staff recommendations from the August 22, 2013 and February 6, 2014 Traffic Safety Committee meetings were approved by the Traffic Safety Committee and are being forwarded to the City Council for its consideration. The City Traffic Engineer provided professional expertise during the discussion of these matters and fully supports these recommendations.

In each of the matters being recommended, the addition of red curb no parking zones will reduce space available for on-street parking. It is understood that demand for on-street parking is high in several of the subject locations. This demand for on-street parking was weighed by the Traffic Safety Committee along with the safety concerns inherent in the requests and the City's engineering design standards.

After due consideration, Resolution No. 5515 has been prepared to formalize these recommendations for City Council action. Additional Traffic Safety Committee meeting recommendations regarding maintenance and enforcement and not requiring City Council action will be incorporated into the Department of Public Works routine street maintenance and repairs work schedule.

III. FINANCIAL CONSIDERATIONS:

All of the recommended items can be completed within the existing Street Maintenance and Repairs budget. No impact to the General Fund is expected with the approval of the recommended improvements.

IV. POLICY

The City of Carpinteria established the Traffic Safety Committee and assigned the purpose of the committee as an advisory body to the City Council (C.M.C. 10.08.080 and 10.08.090). The purpose of the Traffic Safety Committee is to receive complaints having to do with traffic matters; to receive and publish traffic reports; to suggest practical means for coordinating the activities of the various departments of the City, law enforcement and emergency response teams; and to recommend to the City Council and to the City Traffic Engineer, measures that improve traffic conditions and enforcement of traffic regulations.

V. ATTACHMENTS:

A. Resolution No. 5515

ATTACHMENT A

RESOLUTION NO. 5515

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA APPROVING
THE RECOMMENDATIONS OF THE TRAFFIC SAFETY COMMITTEE AS SET
FORTH AT THE AUGUST 22, 2013 AND FEBRUARY 2, 2014 TRAFFIC SAFETY COMMITTEE
MEETINGS**

WHEREAS, Section 10.08.080 of the Carpinteria Municipal Code (CMC) establishes a Traffic Safety Committee as an advisory body to the Carpinteria City Council, and;

WHEREAS, the Traffic Safety Committee received various requests to address traffic matters around the City, and;

WHEREAS, the Traffic Safety Committee reviewed the requests at its August 22, 2013 and February 2, 2014 meetings and has made the following recommendations for City Council consideration:

1. Install 6 feet of red curb to the west of the driveway easement at 5152 El Carro Lane and extend the existing red curb to the east of the driveway by an additional 10 feet.
2. Install 40 feet of red curb on both sides of the Carpinteria Avenue Bridge over Santa Monica Creek and an additional 30 feet along the north side of Carpinteria Avenue west of the bridge.
3. Install 160 feet of red curb along the east side of Linden Avenue, to the south of the school crosswalk on Linden Avenue at Meadow View Lane.
4. Install 100 additional feet of red curb on the north side of Seventh Street and 50 additional feet of red curb on the south side of Seventh Street east of the school crosswalk at Reynolds/Ninth Street.

WHEREAS, the City Traffic Engineer has reviewed the Traffic Safety Committee measures and based on his professional opinion recommends that the City Council approve the recommendations of the Committee;

NOW, THEREFORE, THE CARPINTERIA CITY COUNCIL HEREBY resolves that the above recommendations of the Traffic Safety Committee as shown in Exhibits A thru D are approved and directs the Department of Public Works to implement the recommendations through its schedule of work within a reasonable period of time.

Passed, approved and adopted this ____ day of _____ 2014 by the following called votes:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ATTEST:

Mayor, City of Carpinteria

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the ___ day of _____ 2014.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

City Attorney

EXHIBIT A – 5152 El Carro Lane



EXHIBIT B – Carpinteria Avenue Bridge over Santa Monica Creek



Image taken from Google Earth

EXHIBIT C – Linden Avenue at Meadow View Lane crosswalk



Image taken from Google Earth

EXHIBIT D – School crosswalk at Seventh Street/Reynolds Avenue/Ninth Street



Image taken from Google Earth

STAFF REPORT
COUNCIL MEETING DATE:
March 24, 2014

ITEMS FOR COUNCIL CONSIDERATION:

Contract with MNS Engineers, Inc. for professional engineering services for the Ash Avenue Improvements Project

Report prepared by: Charles W. Ebeling, P.E., Director
Department: Public Works


Signature

**Reviewed by
City Manager:**


Signature

ACTION X **NON-ACTION** **STAFF RECOMMENDATION:**

Recommendation: That the City Council authorize the execution of an agreement for engineering services with MNS Engineers, Inc. for the scope-of-work and cost in Attachment A.

Sample Motion: I move to authorize the Mayor to sign the agreement for professional engineering services with MNS Engineers, Inc. for the Ash Avenue Improvements Project.

I. BACKGROUND:

On November 25, 2013 the City Council approved an Implementation Agreement that carried out the provisions of a 1997 Memorandum of Understanding (MOU) with the Silver Sands Mobile Home Park. The MOU and Implementation Agreement resolve long-standing issues with regard to land and roadway easements inside and adjacent to the Mobile Home Park. In addition to the resolution of the status of the street easements, Silver Sands Mobile Home Park was required by the agreement to contribute \$185,000 toward public street improvements to Ash Avenue along the Park's frontage. The City of Carpinteria agreed to construct the Ash Avenue improvements using the Mobile Home Parks contribution and funding from other sources, as will be described below. The Department of Public Works has initiated the Ash

Avenue Improvements Project and has negotiated a scope-of-work and cost with a professional civil engineering consulting firm.

II. DISCUSSION:

The City of Carpinteria Capital Improvement Program includes the Ash Avenue Improvements Project. MNS Engineers, Inc. was selected for this project from the City's 2012 On-Call Professional Engineering Services List that was approved by the City Council on December 10, 2012. MNS Engineers, Inc. proposes to provide professional civil engineering services for the study of project alternatives and preparation of final plans, specifications, and engineering cost estimates for walkway, parking area drainage and roadway improvements to Ash Avenue including the following:

- Sidewalk In-fill on the east side of Ash Avenue between Sandyland Road and 3rd Street (Figure 1)
- Walkway, parking area, drainage and roadway improvements between 3rd Street and 4th Street (Figure 2)
- Study of angled parking along the west side of Ash Avenue from Sandyland Road to 3rd Street (Figure 3)

The study of angled parking along Ash Avenue between Sandyland Road and 3rd Street will include analysis of converting this portion of Ash Avenue to a one-way street to accommodate the proposed angled parking. The angled parking will potentially increase the availability of parking in the beach area and will likely offset the loss of parking when the missing sidewalk is filled in on the east side of Ash Avenue.



Figure 1 – Sidewalk In-fill location on east side of Ash Avenue between Sandyland Road and 3rd Street



Figure 2 – Ash Avenue improvements location along Silver Sands Mobile Home Park's frontage

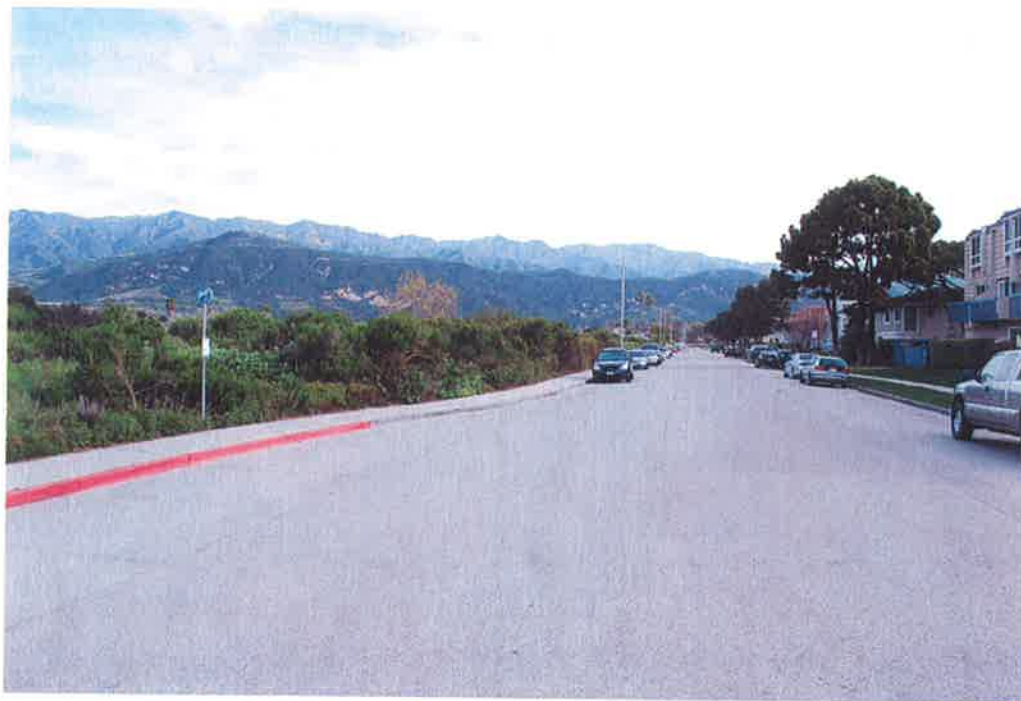


Figure 3 – Potential location for angled parking along the west side of Ash Avenue between Sandyland Road and 3rd Street

III. POLICY:

The proposed project is included in the Street and Thoroughfares section of the current City of Carpinteria Capital Improvement Program. This item was also included in the Department of Public Works' Annual Work Plan. This project also addresses many of the goals, objectives and policy statements in the Pedestrian Circulation Section of the Circulation Element in the City of Carpinteria General Plan.

IV. FINANCIAL CONSIDERATIONS:

The Ash Avenue Improvements Project is estimated to cost approximately \$640,000. Funding for this project will come from the Silver Sands Mobile Home Park, Measure A funds and legacy Measure D funds.

Project Costs:		Funding:	
Design Engineering	\$95,235	Measure A	\$215,000
Construction*	\$464,765	Measure D	\$240,000
Construction Administration*	\$80,000	SSV MOU	\$185,000
Total:	\$640,000	Total:	\$640,000

* *Preliminary Estimated Costs*

V. ATTACHMENTS:

Attachment A: MNS Engineers, Inc. Scope-of-Work and Cost Estimate

ATTACHMENT A

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AGREEMENT FOR CONSULTANT SERVICES

THIS AGREEMENT FOR CONSULTANT SERVICES (“**Agreement**”) is made and effective as of the 24 day of March, 2014 by and between the City of Carpinteria, a municipal corporation (“**City**”), and MNS Engineers, Inc. (“**Consultant**”) at Carpinteria, California, with reference to the following facts:

- A. City has determined that it is necessary and appropriate to engage a design professional to carry out the services described herein; and
- B. Consultant has represented itself as being fully qualified and available to perform the consultant services necessary to complete the work in a timely manner; and
- C. City desires to contract with Consultant and Consultant is willing to perform the consultant services, subject to the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, the sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **SERVICES.**

- 1.1 **Basic Services.** City hereby retains Consultant to perform the services described and set forth in the attached Exhibit A (“**Basic Services**”), which is incorporated by this reference as though set forth in full. Consultant hereby agrees to perform said services within the designated time frames and accepts this retention. Consultant shall complete the Basic Services according to a schedule of performance which is also set forth in Exhibit A.
- 1.2 **Additional Services.** In addition to the Basic Services, City may elect to have Consultant perform additional services that are beyond the current scope of the project, but within the expertise of Consultant (“**Additional Services**”). Such Additional Services shall be mutually agreed to in advance and specified in a writing, which shall also specify the basis for the Consultant’s fee for such additional services. Basic Services and Additional Services are referenced collectively as “**Services**.”

2. **PERFORMANCE.**

- 2.1 **Standard of Performance.** Consultant shall faithfully, competently and diligently perform the obligations and responsibilities required by this Agreement, applying the same standards of care utilized by persons engaged in providing similar services as are required of Consultant hereunder in meeting its obligations under this Agreement.
- 2.2 **Labor and Materials.** Consultant shall furnish, at its own expense, all labor, materials, equipment, tools, transportation and services necessary for the successful completion of the Services. Consultant shall give its attention and supervision to the fulfillment of the

provisions of this Agreement by its employees and subcontractors and shall be responsible for the timely performance of the Services required by this Agreement.

- 2.3 **Review of Service.** Consultant shall furnish City with reasonable opportunities from time to time to ascertain whether the Services of Consultant are being performed in accordance with this Agreement. All work done and materials furnished shall be subject to final review and approval by City; Consultant is not providing final approval or review, which is solely City's function and role. City review and approval of such work and Services shall not, however, relieve Consultant of any of its obligations under this Agreement.
- 2.4 **Contract Administration.** The City Manager or his/her designee shall represent the City in all matters relating to the administration of this Agreement. The City Manager or his/her designee shall have the authority to act on the City's behalf to review and approve all products submitted by Consultant and may execute all necessary documents to authorize Consultant to perform Additional Services as provided for herein.
3. **TERM.** This Agreement shall be effective as of the date first above written and shall continue until all Services to be provided by Consultant are completed, but in no event later than the 31 day of December, 2015; unless terminated earlier as provided for herein.
4. **COMPENSATION.**
 - 4.1 **Basic Services.** For Basic Services, City shall pay Consultant a time and materials, not to exceed amount of Ninety Five Thousand Two Hundred Thirty Five Dollars (\$95,235.00) as full compensation for all labor, materials, equipment, tools, transportation, and services. This compensation shall be paid in accordance with the payment rates and schedule as set forth in Exhibit B, attached hereto and incorporated herein by this reference as though set forth in full, based on the actual time spent on the tasks.
 - 4.2 **Additional Services.** Consultant shall not be compensated for any services rendered in connection with its performance of this Agreement which are in addition to those set forth herein, unless such additional services are authorized in advance and in writing in the method provided for herein. Consultant will submit fee estimates for such additional services upon request of City.
 - 4.3 **Invoices.** Each and every payment by City shall be subject to City's receipt of an invoice outlining the items for which payment is requested. Payment to Consultant as to any undisputed fees shall be made, after verification of Consultant's performance, within 30 (thirty) days of receipt of invoice. If City disputes any of Consultant's fees, it shall give written notice to Consultant within 30 (thirty) days of receipt of an invoice of such disputed fees.
 - 4.4 **Withholding.** City reserves the right to withhold future payment to Consultant if any aspect of the Consultant's work is found to be substantially inadequate. City shall notify Consultant in writing of deficiencies believed to be substantially inadequate within thirty (30) days after receipt of product.

- 4.5 **Taxes/Insurance/Licenses.** Consultant shall be solely responsible for the payment of any federal, state, or local income tax, social security tax, workers' compensation insurance, state disability insurance, and any other taxes or insurance which Consultant is responsible for paying as an independent contractor under federal, state or local law. At all times during the term of this Agreement, Consultant shall have in full force and effect all licenses necessary for the performance of Services hereunder, including without limitation, business licensing from City, all at the sole cost of Consultant.

5. **RECORDS.**

- 5.1 **Financial Records.** Consultant shall maintain complete and accurate records with respect to sales, costs, expenses, receipts and other such information required by City that relate to the performance of services under this Agreement. Consultant shall also maintain adequate records of services provided in sufficient detail to permit an evaluation of services. All such records shall be maintained in accordance with generally accepted accounting principles and shall be clearly identified and readily accessible.
- 5.2 **Access to Records.** Consultant shall provide free access to the representatives of City or its designees at reasonable times to books and records as set forth in section 5.1; shall give City the right to examine and audit said books and records; shall permit City to make transcripts therefrom as necessary; and shall allow inspection of all work, data, documents, proceedings and activities related to this Agreement. Such records, together with supporting documents, shall be maintained for a period of three years after receipt of final payment.
- 5.3 **Original Records.** Upon completion of, or in the event of termination or suspension of this Agreement, all completed and incomplete original agreements, data, documents, designs, drawings, exhibits, maps, models, computer files, reports, studies, surveys, notes, and other work, materials or documents prepared or used to prepare Consultant's work product in the course of providing the Services pursuant to this Agreement ("**Consultant Work Product**") shall become the sole property of City once the consultant has received payment. City may duplicate, disclose, disseminate, use, reuse or otherwise dispose of Consultant Work Product in whole or in part in any manner it deems appropriate, without the permission of Consultant. With respect to computer files, Consultant shall make available to the City, at Consultant's office and upon reasonable written request by City, the necessary computer software and hardware for purposes of accessing, compiling, transferring and printing computer files. Consultant may retain copies of such Consultant Work Product as a part of its record of professional activity.

6. **TERMINATION.**

- 6.1 **Termination Without Cause.** City may at any time terminate this Agreement or any portion thereof for any reason by giving Consultant at least ten (10) days prior written notice of such termination. Upon receipt of said notice, Consultant shall immediately cease all work under this Agreement, unless the notice provides otherwise. If City suspends or terminates a portion of this Agreement, such suspension or termination shall not make void or invalidate the remainder of this Agreement.

6.2 **Termination With Cause.** City may terminate this Agreement with cause, effective immediately upon written notice of such termination to Consultant, based upon the occurrence of any of the following events:

- Material breach of this Agreement by Consultant;
- Cessation of Consultant to be licensed, as required;
- Failure of Consultant to substantially comply with any applicable federal, state or local law or regulation;
- Filing by or against Consultant of any petition under any law for the relief of debtors; and,
- Filing of a criminal complaint against Consultant for any crime, other than minor traffic offenses.

6.3 **Payment Upon Termination.** In the event this Agreement is terminated, with or without cause, pursuant to this Section, City shall pay Consultant for the outstanding balance owed up to the time of termination. Upon termination of the Agreement, Consultant will submit an invoice to City as provided for herein.

7. **INSURANCE.** Consultant shall maintain prior to the beginning of and for the duration of this Agreement insurance coverage as specified in the attached Exhibit C, which is incorporated by this reference as though set forth in full.

8. **INDEMNIFICATION.**

Indemnification for Professional Liability. To the fullest extent permitted by law, Consultant shall indemnify, protect, defend and hold harmless City and any of its officials, employees and agents ("**Indemnified Parties**") from and against any and all losses, liabilities, damages, costs and expenses, including attorneys fees and costs which arise out of the negligence, recklessness, or willful misconduct of the Consultant.

9. **RELEASE OF INFORMATION.**

9.1 **Confidentiality.** All information gained by Consultant in performance of this Agreement shall be considered confidential and shall not be released except to the City, directly or indirectly, by Consultant without City's prior written authorization. Consultant, its officers, employees, subcontractors or sub-consultants shall not voluntarily provide declarations, letters of support, testimony at depositions, response to interrogatories or other information concerning the work performed under this Agreement unless requested by the City Attorney or authorized in writing by the City Manager. Response to a subpoena or court order shall not be considered "voluntary" provided that Consultant shall give City prompt written notice of any such court order or subpoena.

9.2 **Notice and Cooperation.** Consultant shall promptly notify the City Manager and City Attorney in writing if Consultant, its officers, employees, agents, or subcontractors or consultants should be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, request for admissions, or other discovery request, court order or subpoena from any person or party related to this Agreement and/or

Consultant's related Services. City has no obligation to, but may exercise discretion to represent Consultant and/or be present at any deposition, hearing, or similar proceeding. Consultant agrees to cooperate fully with City and to provide the City an opportunity to review any response to discovery requests provided by Consultant. However, City's right to review any such response does not grant or imply a right of City to control, direct, dictate or rewrite said response.

10. RELATIONSHIP TO CITY.

- 10.1 **Independent Contractor.** Consultant is and shall at all times remain as to the City a wholly independent contractor. The personnel performing the services under this Agreement on behalf of Consultant shall at all times be under Consultant's exclusive direction and control. Neither City nor any of its officers, employees or agents shall have control over the conduct of Consultant or any of Consultant's officers, employees or agents, except as set forth in this Agreement. Consultant shall not at any time or in any manner represent that it or any of its officers, employees or agents are in any manner officers, employees or agents of City. Consultant shall not incur or have the power to incur any debt, obligation or liability whatever against City, or bind City in any manner.
- 10.2 **No Employee Privileges.** No City employee benefits shall be available to Consultant in connection with the performance of this Agreement. Except for the fees paid to Consultant as provided in the Agreement, City shall not pay salaries, wages or other compensation to Consultant for performing services hereunder for City. City shall not be liable for compensation or indemnification to Consultant for injury or sickness arising out of performing services hereunder.
- 10.3 **Consultant Duty to City.** Consultant understands and agrees that its responsibility to provide complete and accurate Services is owed solely to City and that its accountability under this contract shall likewise be solely to City and not to any City applicants or any other third person or entity.
- 10.4 **Interest of Consultant.** Consultant represents and warrants to City that it presently has no interests, and covenants that it shall not acquire any interests, direct or indirect, financial or otherwise, which would conflict with the performance of the services to be provided by Consultant under this Agreement. Consultant further covenants that, in the performance of this Agreement, no subcontractor or employee having such an interest shall be employed by Consultant. Consultant certifies that no one who has or will have any financial interest under this Agreement is: (a) an officer or employee of City, or (b). an officer or employee of the applicant and any of its consultants.
- 10.5 **Undue Influence.** Consultant declares and warrants that no undue influence or pressure is used against or in concert with any officer or employee of City in connection with the award, terms or implementation of this Agreement, including any method of coercion, confidential financial arrangement or financial inducement. No officer or employee of City will receive compensation, directly or indirectly, from Consultant, or from any officer, employee or agent of Consultant, in connection with the award of this Agreement or any work to be conducted as a result of this Agreement. Violation of this Section shall

be a material breach of this Agreement entitling City to any and all remedies at law or in equity.

11. GENERAL PROVISIONS.

11.1 **Further Assurances.** City and Consultant each agree to cooperate with one another, to use their best efforts, to act in good faith, and to promptly perform such acts and execute such documents or instruments as are reasonably necessary and proper to consummate the transactions contemplated by this Agreement.

11.2 **Notices.** All notices, requests, demands, and other communications under this Agreement shall be in writing and shall be deemed to have been duly given on the date of service if personally served or on the second day after mailing if mailed by first-class mail, registered or certified, return receipt requested, postage prepaid and properly addressed as follows:

To City:

Dave Durflinger, City Manager
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93013-2698
P: (805) 684-5405
F: (805) 684-5304

To Consultant:

James Salvito, Presedent
MNS Engineers, Inc.
201 N. Calle Cesar Chavez, Suite 300
Santa Barbara, CA 93103
P: (805) 692-6921
F: (805) 692-6931

Any party may change their address for the purpose of this paragraph by giving the other party written notice of the new address in the above manner.

11.3 **Legal Responsibilities.** Consultant shall keep itself informed of state and federal laws and regulations which in any manner affect those employed by it or in any way affect the performance of its service pursuant to this Agreement. The Consultant shall reasonably observe and comply with such laws and regulations. The City and its officers and employees shall not be liable at law or in equity occasioned by failure of the Consultant to comply with this Section.

11.4 **Licenses.** At all times during the term of this Agreement, Consultant shall have in full force and effect, all licenses required by law for the performance of services described in this Agreement.

11.5 **Labor Conditions.** City is a public entity in the state of California, and therefore, City and Consultant are subject to the provisions of the Government Code and the Labor Code of the state of California. All provisions of law applicable to public contracts and/or this Agreement are incorporated herein by this reference and are made a part of this Agreement to the same extent as if they were fully stated in the Agreement and shall be complied with by Consultant.

11.6 **Labor Requirements.** Consultant shall abide by all federal and California laws and regulations regarding wages, including, without limitation, the Fair Labor Standards Act

and the California Labor Code, which, in part, require Consultant to pay the general prevailing wage rates.

- 11.7 **Discrimination.** No person shall be excluded from employment in the performance of this Agreement on the grounds of race, creed, color, sex, age, marital status, sexual orientation, or place of national origin. Consultant shall comply with all local, state, and federal laws relating to equal employment opportunity rights.
- 11.8 **Assignment.** Consultant shall not assign the performance of this Agreement, nor any part thereof, nor any monies due hereunder, without prior written consent of City, which shall have the sole discretion to consent to any proposed assignment. Because of the personal nature of the Services to be rendered pursuant to this Agreement, only Consultant shall perform the services described in this Agreement.
- 11.9 **Waiver.** No waiver of a provision of this Agreement shall constitute a waiver of any other provision, whether or not similar. No waiver shall constitute a continuing waiver. No waiver shall be binding unless executed in writing by the party making the waiver.
- 11.10 **Construction of Terms.** All parts of this Agreement shall in all cases be construed according to their plain meaning and shall not be construed in favor or against either of the parties. If any term, provision, covenant or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, in whole or in part, the remainder of this Agreement shall remain in full force and effect and shall not be affected, impaired or invalidated thereby. In the event of any provision shall be adjudged invalid, void or unenforceable, the parties hereto agree to enter into a supplemental agreement to effectuate the intent of the parties and the purposes of this Agreement.
- 11.11 **Controlling Law.** The City and Consultant understand and agree that the laws of the State of California shall govern the rights, obligations, duties and liabilities of the parties to this Agreement and also govern the interpretation of this Agreement, with venue proper only in the County of Santa Barbara, State of California.
- 11.12 **Attorneys Fees.** In the event any action is brought to enforce or interpret the terms of this Agreement or for damages on account of the breach hereof, the prevailing party therein shall be entitled to recover from the other party its costs and expenses incurred in connection therewith, including without limitation, reasonable attorneys fees and the costs and expenses of litigation.
- 11.13 **Authorization.** All officers and individuals executing this and other documents on behalf of the respective parties hereby certify and warrant that they have the capacity and have been duly authorized to execute said documents on behalf of the entities indicated.
- 11.14 **Entire Agreement.** This Agreement, along with its attached exhibits, which are incorporated herein by this reference, constitutes the entire Agreement between the parties and supersedes all prior and contemporaneous agreements, representations and understandings of the parties. This Agreement may be altered, amended or modified only by a supplemental writing executed by the parties to this Agreement and by no other means. Each party waives any future right to claim, contest, or assert that this Agreement

was modified, canceled, superseded, or changed by any oral agreement, course of conduct, waiver or estoppel.

- 11.15 **Counterparts.** This Agreement may be executed in counterparts, each of which shall remain in full force and effect as to each party.

IN WITNESS WHEREOF, the parties have executed this Agreement at the place and as of the date first written above.

"CITY"
City of Carpinteria

"CONSULTANT"
MNS Engineers, Inc.

By: _____
J. Bradley Stein, Mayor

By: _____
Jeff Edwards, Vice President

APPROVED AS TO FORM:
City of Carpinteria

By: _____
Peter Brown, City Attorney

EXHIBIT A

TASKS TO BE PERFORMED

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SANTA BARBARA
201 N. Calle Cesar Chavez, Suite 300
Santa Barbara, CA 93103
805.692.6921 Phone

March 14, 2014

Mr. Charlie Ebeling, P.E., T.E.
Director of Public Works
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93013

**RE: PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES
ASH AVENUE PROJECT**

Dear Charlie:

MNS Engineers is pleased to prepare this proposal for engineering services for the Ash Avenue Project. MNS Engineers has studied the project area; discussed roadway improvements and we are ready to prepare conceptual exhibits and construction documents for this work.

Project Understanding

The following discusses the project understanding from our recent meeting January 23rd, 2014.

The work below is located on Ash Avenue between 4th Street and 3rd Street:

- Reconfigure existing vehicular parking area along the western edge of Ash Avenue.
- Relocate existing informal pedestrian path along the edge of Ash Avenue to connect to the existing sidewalk south of 3rd Street.
- Reconstruct two main existing mobile home park driveway access locations.
- Relocate private driveway access at southerly mobile home park residence.
- Reconstruct public road pavement/structural section.

There are four key elements for this portion of the project:

1. Formalize parking, public improvements and repair roadway structural section.
 - a. Protect existing utility poles in-place. The design shall accommodate the poles.
 - b. Provide on-grade sidewalk (not a structure).

- c. Provide improved roadway structural section. Design basis assumes $TI = 5$ and $R\text{-Value} = 20$. No geotechnical investigation is provided.
- 2. Improve storm water quality and reduce runoff by:
 - a. Decreasing the impervious area using decomposed granite (DG) surfacing or permeable pavers in parking area. No infiltration testing is provided.
 - b. Directing street sheet flow to the new ribbon drain (back of parking stalls).
 - c. Increasing drainage capacity in the existing ditches and culverts, if possible.
 - d. Providing landscaped infiltration areas using native plants and other vegetation.
 - e. Providing the potential natural removal of typical contaminants via bio-absorption.
- 3. Incorporate the existing drainage ditch into the design by:
 - a. Replacing existing culverts.
 - b. Re-grading the ditch.
 - c. Consider using native plants and other vegetation to improve storm water quality.
- 4. Design a new single-residence, private driveway to replace the existing private driveway located at the south end of the mobile home park.
 - a. The tie-in locate will be at the concrete slab located at the north end of the most southerly residence fronting Ash Avenue. The existing concrete slab is raise above grade and supported on a short retaining wall. The wall foundation appears to be a narrow spread footing. No development plans are available for this wall. The new driveway:
 - i. Will be free standing – the new driveway will not depend upon the existing retaining wall or slab for support. The structure will likely be a precast concrete box culvert or open-bottom arch culvert to minimize design and construction costs. The foundation of the new driveway will extend to the right of way line. No material will be placed against the existing private wall.
 - ii. Will be constructed entirely in the public right of way: the new driveway will not extend past the City road right of way. Any gap between the new driveway and the existing concrete slab will be the responsibility of the property owner.
 - iii. Will remove portions of the existing fence: a few panels of the existing vinyl fence will be removed. The removals will be from post to post. Relocation of fence posts is not part of the work. Patching or retrofitting the posts is not part of the work. Providing a gate is not part of the work.

Additional work requested at our recent meeting is located on Ash Avenue between Sandyland Road and 3rd Street and includes:

- Modify traffic circulation from two-way (two directional) to one-way, northbound towards 3rd Street. Modify the intersection of Ash Avenue at 3rd Street.
- Provide angled parking on the west side and parallel parking on the east side of Ash Avenue.
- Install modified curb to accommodate front of car overhang.
- Consider bicycle markings (share the road, sharrows).
- Provide sidewalk infill along the east side of Ash Avenue.

We understand that the work described for the segment of Ash Avenue from Sandyland Road and 3rd Street is optional and may not be requested. As such, the scope of work is written to address the needs of the segment of Ash Avenue 4th Street and 3rd Street, with additional add-on tasks for the work from Sandyland Road and 3rd Street.

Scope of Work

Based on our discussions and preliminary research we propose the following scope of work:

Ash Avenue between 4th Street and 3rd Street

1. Prepare base map for design. The existing mapping for Ash Avenue was prepared from a field survey performed in June and July of 2000. Almost 14 years old, it is not recommended that this mapping be used for the project as changes may have occurred that would complicate the construction effort. The following is our proposed scope of work to prepare the base map for design:
 - a. The detailed topographic mapping limits will extend from 25 feet northeast of the northeast edge of paving on 4th Street, southwesterly along Ash Avenue to 135 feet southwesterly of the centerline of 3rd Street. This will include detailed mapping of an approximately 90-foot wide strip centered on the existing paving of Ash Avenue, which will extend into the Silver Sands mobile home park.
 - b. Right of way of Ash Avenue and the adjacent streets.
 - c. Basis of Survey Control - NAVD88 and NAD83.
 - d. Deliverables in Autodesk Civil 3D (2014) format.
2. Collect utility information for the project area.
3. Prepare conceptual plan layout of Ash Avenue between 4th Street and 3rd Street.
4. Prepare preliminary plans and estimate:
 - a. Meet with City to intake concept plan comments.

- b. Layout, profiles and initial details for the roadway and drainage improvements within the project area. These plans would include the roadway, parking areas, drainage swales, drainage culverts and other curb improvements required.
 - c. Driveway structure layout and general details for the relocated driveway.
 - d. Prepare engineer's estimate of probable cost.
- 5. Prepare draft plans, specifications and estimate:
 - a. Meet with City to intake preliminary plan review comments.
 - b. Prepare written response to City's preliminary plan review comments.
 - c. Revise preliminary plans per City's preliminary plan review comments.
 - d. Provide additional plan details and coordination as necessary.
 - e. Prepare specifications and compile with City boilerplate contract document.
 - f. Revise engineer's estimate of probable construction costs.
- 6. Prepare final plans, specifications and estimate:
 - a. Meet with City to intake draft plan review comments.
 - b. Prepare written response to City's draft plan review comments.
 - c. Revise draft plans per City's draft plan review comments.
 - d. Prepare signed and sealed reproducible plan set and contract documents.
- 7. Assist City during bid phase:
 - a. Respond to bidder's requests for information (RFIs).
 - b. Assist the City with contract addenda as necessary.
 - c. Review and compare bids received.

Add-On Tasks: Ash Avenue between Sandyland Road and 3rd Street

- 8. Prepare base map for design. The following is our proposed scope of work to prepare the base map for design:
 - a. Limited topographic mapping will be conducted from the southwest limit of the detailed mapping, southwesterly approximately 700 feet to just below Sandyland Road. This mapping will only include the sidewalk, curb and gutter and road crown but no surface will be prepared.
- 9. Collect utility information for the project area.
- 10. Prepare conceptual plan layout of Ash Avenue between Sandyland Road and 3rd Street.
- 11. Prepare preliminary plans and estimate:
 - b. Layout and initial details for the roadway improvements within the project area.
 - c. Prepare engineer's estimate of probable cost.
- 12. Prepare draft plans, specifications and estimate:
 - d. Prepare written response to City's preliminary plan review comments.

- e. Revise preliminary plans per City's preliminary plan review comments.
 - f. Provide additional plan details and coordination as necessary.
 - g. Revise engineer's estimate of probable construction costs.
13. Prepare final plans, specifications and estimate:
- h. Meet with City to intake draft plan review comments.
 - i. Prepare written response to City's draft plan review comments.
 - j. Revise draft plans per City's draft plan review comments.
 - k. Prepare signed and sealed reproducible plan set and contract documents.

Compensation

We propose to provide our services on a time and materials basis. Based on our understanding of the requirements and our experience with similar projects, we have estimated the costs required for this scope of service to be:

Segment of Ash Avenue	Fee
4 th Street and 3 rd Street (Base Scope of Work)	\$81,010
Sandyland Road and 3 rd Street (Add-On Tasks)	\$14,225
TOTAL	\$95,235

Schedule

We understand the City request the work be finished as soon as possible. MNS has the capacity and flexibility to begin working on this project March 10th, 2014 and will work to support the project in a timely fashion in order to meet the City's schedule request. We anticipate completing the 65% design plans within 8 weeks after the approval of the conceptual traffic circulation review by City Staff. The final bid-ready plans would be completed in an additional 8 weeks after City plan check of the 65% design.

Services Not Included

The following services and all other services not specifically listed herein are excluded:

- Geotechnical investigation.
- Liaison with local residents.
- Storm drainage analysis.
- Storm water quality plans or permits.
- Environmental permits and/or assessments.
- Landscape design.

- Construction phase support and as-built drawing preparation.

MNS will not perform work outside the scope of this agreement without written approval prior to performance of the work. Scope or design changes directed by the client after contract negotiation and signing shall be considered out of scope and subject to an increase in the estimated fee. Work directed or requested by the client that is outside the scope of this agreement will be identified by MNS as such, and a negotiated amount must be agreed upon prior to the start of the additional work.

A landscape architect can be retained if desired to provide design elements for the walkway and islands.

Client Provided Items

Our proposal is based upon the assumption that the client will provide certain items necessary for the completion of the scope of work. The client will provide:

- Beach area drainage plans.
- Assistance with opening locked Manholes or other utilities.
- City's current contract boilerplate document.

Conclusion

Thank you again for considering MNS Engineers for this project. Please let us know if we can provide any more information and feel free to call me to discuss this proposal at (805) 692-6921 or, if you prefer, via email at skowalewski@mnsengineers.com.

Sincerely,

MNS ENGINEERS, INC.



Shawn Kowalewski, P.E.
Vice President, Principal Engineer

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EXHIBIT B
PAYMENT SCHEDULE

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MNS Engineers Team Resource Estimate
Ash Avenue Project for the City of Carpinteria

MNS Engineers Staff Hours By Task											
Surveying							Engineering				
	Principal Surveyor Mark Reinhardt, PLS	Project Surveyor Shane Sobaki, PLS	Supervising CAD Technician Robert Starr	Survey Party Chief To Be Determined	Field Survey Crew To Be Determined	Senior Land Title Analyst Masayuki Uesaka	Principal Engineer - Structure Shawn Kowalewski, PE	Principal Engineer - QC Michael Ip, PE	Senior Transport Engineer, PM Adam Chase, PE, TE	Associate Engineer Todd Wilkinson, EIT	Assistant Engineer April del Castillo, EIT
Billing Rates:	\$195	\$140	\$110	\$125	\$250	\$125	\$195	\$195	\$165	\$125	\$105

Base Map Utility Data Conceptual Corridor Exhibit Title Sheet / Typical Cross Sections Plan & Profile Sheets Sidewalk/Construction Details Drainage Details Driveway Structure Design, Plans & Details Specifications Cost Estimate Bidding Assistance Meetings	3rd Street to 4th Street	8	12	20	6	12	4					
											10	12
								2	2	12	60	10
									1	3		18
									1	12	24	60
									1	8	16	24
									1	8	16	24
								20	1	8	24	64
								4	2	32		
								6	1		6	20
											16	4
									2		8	

Subtotals by Staff Type											
Hours:	8	12	20	6	12	4	34	10	107	160	232
Costs:	\$1,560	\$1,680	\$2,200	\$750	\$3,000	\$500	\$6,630	\$1,950	\$17,655	\$20,000	\$24,360

Subtotals by Task			
Hours	Costs	Reimburs. Expenses	Total
62	\$9,690	\$150	\$9,840
22	\$2,510	\$50	\$2,560
86	\$11,310	\$125	\$11,435
22	\$2,580	\$25	\$2,605
97	\$11,475	\$25	\$11,500
49	\$6,035	\$50	\$6,085
49	\$6,035	\$50	\$6,085
117	\$15,135	\$100	\$15,235
38	\$6,450	\$50	\$6,500
33	\$4,215	\$25	\$4,240
20	\$3,140	\$50	\$3,190
10	\$1,710	\$25	\$1,735
Grand Totals			
605	\$80,285	\$725	\$81,010

Base Map Utility Data Conceptual Corridor Exhibit Title Sheet / Typical Cross Sections Plan & Profile Sheets Driveway Structure Design, Plans & Details Specifications Cost Estimate	Sandyland Road to 3rd Street	2	4	4	2	4						
										2	4	
								2		8	20	6
										1		2
										4	16	20
								1				
											2	4

Subtotals by Staff Type											
Hours:	2	4	4	2	4	0	2	1	13	40	36
Costs:	\$390	\$560	\$440	\$250	\$1,000	\$0	\$390	\$195	\$2,145	\$5,000	\$3,780

Subtotals by Task			
Hours	Costs	Reimburs. Expenses	Total
16	\$2,640	\$0	\$2,640
6	\$670	\$0	\$670
36	\$4,840	\$25	\$4,865
3	\$375	\$25	\$400
40	\$4,760	\$25	\$4,785
1	\$195	\$0	\$195
0	\$0	\$0	\$0
6	\$670	\$0	\$670
Grand Totals			
108	\$14,150	\$75	\$14,225

Subtotals by Staff Type											
Hours:	10	16	24	8	16	4	36	11	120	200	268
Costs:	\$1,950	\$2,240	\$2,640	\$1,000	\$4,000	\$500	\$7,020	\$2,145	\$19,800	\$25,000	\$28,140

Grand Totals			
713	\$94,435	\$800	\$95,235

EXHIBIT C

INSURANCE REQUIREMENTS

Prior to the beginning of and throughout the duration of the Work, Consultant will maintain insurance in conformance with the requirements set forth below. Consultant will use existing coverage to comply with these requirements. If that existing coverage does not meet the requirements set forth here, Consultant agrees to amend, supplement or endorse the existing coverage to do so. Consultant acknowledges that the insurance coverage and policy limits set forth in this section constitute the minimum amount of coverage required. Any insurance proceeds available to City in excess of the limits and coverage required in this agreement and which is applicable to a given loss, will be available to City.

Consultant shall provide the following types and amounts of insurance:

Commercial General Liability Insurance using Insurance Services Office "Commercial General Liability" policy form CG 00 01 or the exact equivalent. Defense costs must be paid in addition to limits. There shall be no cross liability exclusion for claims or suits by one insured against another. Limits are subject to review but in no event less than \$1,000,000 per occurrence.

Business Auto Coverage on ISO Business Auto Coverage form CA 00 01 including symbol 1 (Any Auto) or the exact equivalent. Limits are subject to review, but in no event to be less than \$1,000,000 per accident. If Consultant owns no vehicles, this requirement may be satisfied by a non-owned auto endorsement to the general liability policy described above. If Consultant or Consultant's employees will use personal autos in any way on this project, Consultant shall provide evidence of personal auto liability coverage for each such person.

Workers Compensation on a state-approved policy form providing statutory benefits as required by law with employer's liability limits no less than \$1,000,000 per accident or disease.

Excess or Umbrella Liability Insurance (Over Primary) if used to meet limit requirements, shall provide coverage at least as broad as specified for the underlying coverages. Any such coverage provided under an umbrella liability policy shall include a drop down provision providing primary coverage above a maximum \$25,000 self-insured retention for liability not covered by primary but covered by the umbrella. Coverage shall be provided on a "pay on behalf" basis, with defense costs payable in addition to policy limits. Policy shall contain a provision obligating insurer at the time insured's liability is determined, not requiring actual payment by the insured first. There shall be no cross liability exclusion precluding coverage for claims or suits by one insured against another. Coverage shall be applicable to City for injury to employees of Consultant, subconsultants or others involved in the Work. The scope of coverage provided is subject to approval of City following receipt of proof of insurance as required herein. Limits are subject to review but in no event less than \$1,000,000 per occurrence.

Professional Liability or Errors and Omissions Insurance as appropriate shall be written on a policy form coverage specifically designed to protect against acts, errors or omissions of the consultant and "Covered Professional Services" as designated in the policy must specifically include work performed under this agreement. The policy limit shall be no less than \$1,000,000 per claim and in the aggregate. The policy must "pay on behalf of" the insured and must include a provision establishing the insurer's duty to defend. The policy retroactive date shall be on or before the effective date of this agreement.

Insurance procured pursuant to these requirements shall be written by insurers that are admitted carriers in the state of California and with an A.M. Bests rating of A- or better and a minimum financial size VII.

General conditions pertaining to provision of insurance coverage by Consultant. Consultant and City agree to the following with respect to insurance provided by Consultant:

1. Consultant agrees to have its insurer endorse the third party general liability coverage required herein to include as additional insureds City, its officials, employees and agents, using standard ISO endorsement No. CG 2010 with an edition prior to 1992. Consultant also agrees to require all contractors and subcontractors to do likewise.
2. No liability insurance coverage provided to comply with this Agreement shall prohibit Consultant, or Consultant's employees or agents, from waiving the right of subrogation prior to a loss. Consultant agrees to waive subrogation rights against City regardless of the applicability of any insurance proceeds, and to require all contractors and subcontractors to do likewise.
3. All insurance coverage and limits provided by Contractor and available or applicable to this agreement are intended to apply to the full extent of the policies. Nothing contained in this Agreement or any other agreement relating to the City or its operations limits the application of such insurance coverage.
4. None of the coverages required herein will be in compliance with these requirements if they include any limiting endorsement of any kind that has not been first submitted to City and approved of in writing.
5. No liability policy shall contain any provision or definition that would serve to eliminate so-called "third party action over" claims, including any exclusion for bodily injury to an employee of the insured or of any contractor or subcontractor.
6. All coverage types and limits required are subject to approval, modification and additional requirements by the City, as the need arises. Consultant shall not make any reductions in scope of coverage (e.g., elimination of contractual liability or reduction of discovery period) that may affect City's protection without City's prior written consent.
7. Proof of compliance with these insurance requirements, consisting of certificates of insurance evidencing all of the coverages required and an additional insured endorsement to Consultant's general liability policy, shall be delivered to City at or prior to the execution of this Agreement. In the event such proof of any insurance is not delivered as required, or in the event such insurance is canceled at any time and no replacement coverage is provided, City has the right, but not the duty, to obtain any insurance it deems necessary to protect its interests under this or any other agreement and to pay the premium. Any premium so paid by City shall be charged to and promptly paid by Consultant or deducted from sums due Consultant, at City option.
8. Certificate(s) are to reflect that the insurer will provide 30 (thirty) days notice to City of any cancellation of coverage. Consultant agrees to require its insurer to modify such certificates to delete any exculpatory wording stating that failure of the insurer to mail written notice of cancellation imposes no obligation, or that any party will "endeavor" (as opposed to being required) to comply with the requirements of the certificate.

9. It is acknowledged by the parties of this agreement that all insurance coverage required to be provided by Consultant or any subcontractor, is intended to apply first and on a primary, non-contributing basis in relation to any other insurance or self insurance available to City.
10. Consultant agrees to ensure that subcontractors, and any other party involved with the project who is brought onto or involved in the project by Consultant, provide the same minimum insurance coverage required of Consultant. Consultant agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this section. Consultant agrees that upon request, all agreements with subcontractors and others engaged in the project will be submitted to City for review.
11. Consultant agrees not to self-insure or to use any self-insured retentions or deductibles on any portion of the insurance required herein and further agrees that it will not allow any contractor, subcontractor, Architect, Engineer or other entity or person in any way involved in the performance of work on the project contemplated by this agreement to self-insure its obligations to City. If Consultant's existing coverage includes a deductible or self-insured retention, the deductible or self-insured retention must be declared to the City. At that time the City shall review options with the Consultant, which may include reduction or elimination of the deductible or self-insured retention, substitution of other coverage, or other solutions.
12. The City reserves the right at any time during the term of the contract to change the amounts and types of insurance required by giving the Consultant ninety (90) days advance written notice of such change. If such change results in substantial additional cost to the Consultant, the City will negotiate additional compensation proportional to the increased benefit to City.
13. For purposes of applying insurance coverage only, this Agreement will be deemed to have been executed immediately upon any party hereto taking any steps that can be deemed to be in furtherance of or towards performance of this Agreement.
14. Consultant acknowledges and agrees that any actual or alleged failure on the part of City to inform Consultant of non-compliance with any insurance requirement in no way imposes any additional obligations on City nor does it waive any rights hereunder in this or any other regard.
15. Consultant will renew the required coverage annually as long as City or its employees or agents face an exposure from operations of any type pursuant to this Agreement. This obligation applies whether or not the Agreement is canceled or terminated for any reason. Termination of this obligation is not effective until City executes a written statement to that effect.
16. Consultant shall provide proof that policies of insurance required herein expiring during the term of this Agreement have been renewed or replaced with other policies providing at least the same coverage. Proof that such coverage has been ordered shall be submitted prior to expiration. A coverage binder or letter from Consultant's insurance agent to this effect is acceptable. A certificate of insurance and/or additional insured endorsement as required in these specifications applicable to the renewing or new coverage must be provided to City within five days of the expiration of the coverages.

17. The provisions of any workers' compensation or similar act will not limit the obligations of Consultant under this Agreement. Consultant expressly agrees not to use any statutory immunity defenses under such laws with respect to City, its employees, officials and agents.
18. Requirements of specific coverage features or limits contained in this section are not intended as limitations on coverage, limits or other requirements nor as a waiver of any coverage normally provided by any given policy. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and is not intended by any party or insured to be limiting or all-inclusive.
19. These insurance requirements are intended to be separate and distinct from any other provision in this agreement and are intended by the parties here to be interpreted as such.
20. The requirements in this Section supersede all other sections and provisions of this Agreement to the extent that any other section or provision conflicts with or impairs the provisions of this Section.
21. Consultant agrees to be responsible for ensuring that no contract used by any party involved in any way with the project reserves the right to charge City or Consultant for the cost of additional insurance coverage required by this agreement. Any such provisions are to be deleted with reference to City. It is not the intent of City to reimburse any third party for the cost of complying with these requirements. There shall be no recourse against City for payment of premiums or other amounts with respect thereto.

Consultant agrees to provide immediate notice to City of any claim or loss against Consultant arising out of the work performed under this agreement. City assumes no obligation or liability by such notice, but has the right (but not the duty) to monitor the handling of any such claim or claims if they are likely to involve City.

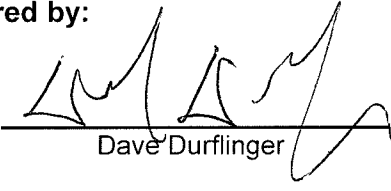
STAFF REPORT
COUNCIL MEETING DATE:
March 24, 2014

ITEM FOR COUNCIL CONSIDERATION:

Letters in support of state and federal moratoriums on oil and gas well stimulation treatments, e.g., Hydraulic Fracturing or "fracing".

Report prepared by:

City Manager


Dave Durlinger

ACTION ITEM X ; NON-ACTION ITEM ____

STAFF RECOMMENDATION: Approve for the Mayor's signature letters to state and federal officials advocating for moratoriums on oil and gas well stimulation treatments in California and on public lands and tidelands such as platforms located in the Pacific Outer Continental Shelf Region.

MOTION: I move to approve the subject letters for the Mayor's signature and transmittal.

I. BACKGROUND/DISCUSSION:

As reported at the City Council meeting of February 24, 2014, (see attached report) the use of well stimulation treatments in the United States, including hydraulic fracturing or "fracing", as it is known, has expanded greatly in recent years and with expansion of the practice has come many questions and concerns about the potential human health and environmental impacts. Senate Bill 4 (Pavely, Ch 313, Stats of 2013), a new law, will establish for the first time in California regulations specific to oil and gas well stimulation treatments. SB 4 requires an independent scientific study and environmental impact report to be prepared as a part of the process of developing appropriate rules and permitting procedures. Until permanent rules are established, SB 4 also allows well stimulation treatments to continue under interim rules, which were established late last year by the Department of Conservation, Division of Oil & Gas Resources (DOGGR).

Some state legislators, local government agencies, environmental advocacy groups and others, believe that well stimulation treatments should be prohibited until they can be proven to be safe. The City of Carpinteria City Council received a request from the Carpinteria Valley Association to take a position in support of a state-wide moratorium. Oil and Gas industry representatives have gone on record as being against moratoriums on well stimulation treatments and are supportive of the State's interim rules, which

include a requirement that oil and gas operators certify certain information and actions prior to any well stimulation activity. Any well stimulation treatment information provided to DOGGR by the operators is made available on a state website:
<http://www.conservation.ca.gov/dog/Pages/WellStimulation.aspx#Item1> .

Well stimulation treatments proposed in the unincorporated area of Santa Barbara trigger discretionary action through a county oil drilling and production plan (ODPP). There are currently no active oil and gas wells within the City of Carpinteria. The Carpinteria Oil and Gas Plant, operated by Venoco Inc., receives oil and gas from offshore platforms located in the Santa Barbara Channel, processes the materials and transports them via pipelines. An oil and gas well development application by Venoco, known as the Paredon Project, proposes wells to be located on a portion of the Carpinteria Oil and Gas Plant site and was recently deemed incomplete by the City of Carpinteria. Venoco has stated in the application that it has no plans to use hydraulic fracturing as a part of the Paredon Project.

At its regular meeting of February 24, 2014, the City Council directed that a draft letter to Governor Brown be prepared concerning support for a state-wide moratorium on oil and gas well stimulation treatments. City Councilmembers also expressed concern about well stimulation treatments that are conducted from oil and gas platforms in the Santa Barbara Channel. These oil and gas operations are located in what's known as the Pacific Outer Continental Shelf (OCS) and are regulated by federal agencies. Additionally, oil and gas operations occur under lease on other public and Tribal lands managed/regulated by the federal government in California. The federal Bureau of Land Management is currently having a study prepared concerning the impacts of well stimulation treatments on land that it regulates.

Staff has prepared two letters (attached) for the City Council's consideration: addressed to Governor Brown and Congresswoman Capps, respectively, the letters are supportive of state and federal moratoriums on well stimulation treatments.

II. ATTACHMENTS:

- A. Draft Letters
- B. Staff Report from February 24, 2014 City Council meeting with Attachments

CITY of CARPINTERIA, CALIFORNIA



Members of the City Council

March 25, 2014

J. Bradley Stein - *Mayor*
Gregg Carty - *Vice Mayor*
Al Clark
Wade Nomura
Fred Shaw

Honorable Congresswoman Lois Capps
24th Congressional District
301 E. Carrillo, Suite A
Santa Barbara, CA 93101

Dear Congresswoman Capps:

The City Council of the City of Carpinteria has asked that I write to thank and support you in your call for a federal moratorium on oil and gas well stimulation treatments occurring offshore Carpinteria and other parts of the Pacific Outer Continental Shelf, pending appropriate environmental review and permitting.

As you are aware, Carpinteria is a coastal community where facilities exist that serve offshore oil and gas platforms. Clean air and water and the unique coastal resources that exist here are integral to what residents and visitors value about Carpinteria, and are a key driver of the local economy. The City is very concerned that activities such as hydraulic fracturing could jeopardize these invaluable local resources and requests that you continue to do all you can to stop well stimulation treatments offshore in California until appropriate studies are completed and the safety of the public and the environment can be ensured.

We understand that both federal and state agencies are currently conducting studies of the potential impacts of well stimulation treatments. It only seems prudent to halt these potentially harmful practices until the results of the studies are known and can be considered as a part of the establishment of appropriate regulations and in the context of permitting.

The City Council believes that the operation of oil and gas platforms in the Santa Barbara Channel should be required to be consistent with California policies and regulations concerning air and water quality. Granting exceptions to federal clean air and water standards and applying standards that are less rigorous than state standards, can only serve to undermine the protections that Californians have worked so hard to establish for its residents, visitors and this unique part of the ocean environment.

Honorable Congresswoman Lois Capps

March 25, 2014

Page 2

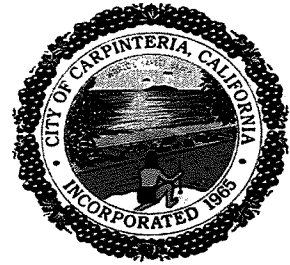
Once again, thank you for your work on this important issue and please feel free to contact me should you have any questions.

Sincerely,

J. Bradley Stein,
Mayor, City of Carpinteria

cc: City Council members

CITY of CARPINTERIA, CALIFORNIA



March 25, 2014

Members of the City Council

Honorable Governor Jerry Brown
c/o State Capitol, Suite 1173
Sacramento, CA 95814

J. Bradley Stein - *Mayor*
Gregg Carty - *Vice Mayor*
Al Clark
Wade Nomura
Fred Shaw

Dear Governor Brown:

The City of Carpinteria wishes to thank you for approving Senate Bill 4. SB 4 creates a science-based process that will allow for good decisions to be made with regard to establishing appropriate regulations of well stimulation practices. However, in the meantime potentially dangerous practices continue with very little oversight. I am writing on behalf of the City of Carpinteria City Council to express its concern over ongoing oil and gas well stimulation treatments being used in California and respectfully request that you use your authority as Governor to enact an interim moratorium on well stimulation treatments until such time as studies are completed that can be considered in establishing appropriate permanent rules pursuant to SB4.

The City agrees with your SB4 signing statement that the bill needs some clarifying and respectfully requests that well stimulation techniques be studied as broadly and holistically as possible to ensure a complete understanding of these techniques and their potential environmental and human health impacts. It does not make sense to define the law too narrowly at this early stage, or to allow the law to be interpreted to exclude from environmental review projects that would otherwise be required to undergo CEQA analysis.

The City would also like to urge the state to include in SB4 a commitment to work with federal agencies to ensure consistency between state and federal law with regard to the regulation of well stimulation techniques involving California. Oil and gas operations on public and submerged lands managed by federal government agencies are integral to California. The Bureau of Land Management (BLM), for example, is having a study conducted on well stimulation treatments for its purposes in managing oil and gas development on public and Indian lands which exist throughout California. Operation of oil and gas platforms on the Pacific Outer Continental Shelf inherently have impacts on places in the state like Carpinteria where staging, processing, and transportation of oil and gas occurs daily, and where unique air, water, and unique coastal resources are enjoyed by residents and visitors and are critical to the regional and state economy. In order to adequately protect Californians and our precious resources, appropriate well stimulation regulations must apply to oil and gas operations under both state and federal jurisdictions.

Honorable Governor Edmund G. Brown
March 25, 2014
Page 2

Once again, the City of Carpinteria respectfully requests that current well stimulation treatment practices in California be halted until studies are complete and well stimulation proposals can be considered pursuant the new regulations/rules.

Sincerely,

J. Bradley Stein
Mayor, City of Carpinteria

cc: Representative Lois Capps
Senator Hannah Beth Jackson
Assembly Member Das Williams
City Council members

STAFF REPORT
COUNCIL MEETING DATE
February 24, 2014

ITEM FOR COUNCIL CONSIDERATION

Response to a request from the Carpinteria Valley Association for City Council adoption of a resolution calling for a state-wide moratorium on fracking until June, 2015, or such later time as the State Department of Conservation Division of Oil, Gas & Geothermal Resources, issues its Final Environmental Impact Report on fracking regulations to be enacted pursuant to Senate Bill 4 (Pavley, Ch 313, Stats of 2013).

Community Development Director: _____

Signature

City Manager _____

Signature

STAFF RECOMMENDATION

Consider the Carpinteria Valley Association request and direct staff as determined appropriate.

I. BACKGROUND

At the annual Strategic Planning Workshop on January 25, 2014, a representative of the Carpinteria Valley Association testified before the City Council and submitted a letter (Attachment A) requesting that the City take a formal position in support of a state-wide moratorium on fracking. The City Council directed staff to include the request on a future regular meeting agenda in order for it to be considered.

Over the last several years, many states across the country have adopted laws or regulations about fracking, as has the County of Santa Barbara locally. "Fracking," "fracing" or hydraulic fracturing is a form of well stimulation treatment. The following are definitions of these and related terms from DOGGR's interim emergency rules for fracking in California:

"Well stimulation treatment" means a treatment of a well designed to enhance oil and gas production or recovery by increasing the permeability of the formation. Well stimulation is a

short term and non-continual process for the purposes of opening and stimulating channels for the flow of hydrocarbons. Examples of well stimulation treatments include hydraulic fracturing, acid fracturing and acid matrix stimulation. Well stimulation treatment does not include routine well cleanout work; routine well maintenance; routine treatment for the purpose of removal of formation damage due to drilling; bottom hole pressure surveys; routine activities that do not affect the integrity of the well or the formation; the removal of scale or precipitate from the perforations, casing or tubing; or a treatment that does not penetrate into the formation more than 36 inches from the well bore. **“Hydraulic fracturing”** means a well stimulation treatment that, in whole or in part, includes the pressurized injection of hydraulic fracturing fluid or fluids into an underground geologic formation in order to fracture or with intent to fracture the formation, thereby causing or enhancing, for the purposes of this article, the production of oil or gas from a well.

“Acid matrix stimulation treatment” means an acid treatment conducted at pressures lower than the applied pressure necessary to fracture the underground geologic formation. **“Acid well stimulation treatment”** means a well stimulation treatment that uses, in whole or in part, the application of one or more acids to the well or underground geologic formation. The acid well stimulation treatment may be at any applied pressure and may be used in combination with hydraulic fracturing treatments or other well stimulation treatments. Acid well stimulation treatments include acid matrix stimulation treatments and acid fracturing treatments.

Along with directional drilling, this technology is helping oil and gas exploration companies to economically produce from certain types of hydrocarbon formations.¹ The technology has become controversial as its use has expanded with public and government concerns related to potential impacts to public health and safety and the environment. In particular, concerns have been raised about the possible effects of fracking on air quality, water quality and water quantity.

Extensive information on the practice and regulation of fracking and other well stimulation techniques used in California can be found on the California Department of Conservation website, <http://www.conservation.ca.gov/Index/Pages/Index.aspx>. In February, the Coastal Commission also received a presentation on the topic. Information related to that presentation is available at <http://www.coastal.ca.gov>.

In September of last year, Senate Bill 4, (Pavley) Oil & Gas: Hydraulic Fracturing, was signed into law by Governor Brown.² Prior to SB 4, rules and regulations specific to the various well stimulation techniques, including hydraulic fracturing, did not exist in California. SB 4 requires the State Department of Conservation Division of Oil, Gas & Geothermal Resources; known as DOGGR, to establish rules and regulations for well stimulation treatments by January 1, 2015 (Attachment B is an analysis of the law). Draft Regulations and the related Notice of Preparation of Environmental Impact Report (NOP) (Attachment D) were issued on November 15, 2013 for a public comment period that ended January 14, 2014. A narrative of the draft regulations prepared by the State is included as Attachment C to this report.

SB 4 also requires the Natural Resources Agency to conduct a study of well stimulation treatments, including hydraulic fracturing and acid well stimulation treatments, to be completed

¹ “California Adopts Interim Emergency rules for well stimulation treatments”, Oil & Gas Journal, Unconventional Oil & Gas Report, February 1, 2014

² The full text of SB4 can be found here: HTTP://LEGINFO.CA.GOV/PUB/13-14/BILL/SEN/SB_0001-0050/SB_4_BILL_20130920_CHAPTERED.PDF.

by January 1, 2015. The Natural Resources Agency is currently developing the scope of the study and began the analysis in December 2013 in anticipation of meeting the statutory deadline of January 2015.

In late 2013, DOGGR established interim emergency rules, which took effect January 1, 2014, and are intended to regulate well stimulation treatments until permanent rules are established through the formal rule making process. DOGGR anticipates that the permanent regulations will be effective on January 1, 2015. Citing human health and environmental concerns, in January a group of environmental organizations wrote Governor Brown to request that he enact a moratorium on well stimulation treatments; presumably until the EIR is complete and appropriate permanent regulations established (see exhibit to the CVA letter, Attachment A). Similarly, the CVA letter asks that the City Council adopt a resolution that calls for the Governor to enact a state-wide interim moratorium on fracking. The group suggests the moratorium remain in effect until "June, 2015, or such later time as DOGGR issues its Final EIR on fracking."

II. DISCUSSION

There are several offshore oil and gas well drilling platforms that are serviced through the Carpinteria Processing Facility and which deliver oil and gas to the facility for processing and transportation. Fracking has occurred on wells located at a number of offshore platforms in federal waters where there is no regulation of fracking at this time, including those serviced from Carpinteria (see Attachment H). Venoco, Inc.'s pending Paredon Project application proposes development of oil and gas wells at the Plant. Venoco has stated that it does not intend to frack at the wells proposed in the Paredon project. It is not clear if or how state regulations, as currently drafted, would apply to a project like Paredon that would potentially include production from both onshore and offshore resources. This is an issue that has been identified in comment letters on the Notice of Preparation and draft regulations provided by the County of Santa Barbara to the state. It is not known whether or not permanent rules will be in place prior to the City's consideration of the Paredon application. However, it is possible that a draft EIR prepared by the State on fracking will be available for the City to consider as a part of its environmental review of the Paredon application.

The City of Carpinteria has a long history of expressing concern over oil and gas operations that could negatively impact the character of the community as well as public health, safety and the environment. Just two years after incorporation, the City adopted Resolution No. 80 (Attachment E), recognizing that growth and production of oil and gas resources in the area could place valuable coastal resources and community character at risk. Subsequent resolutions adopted over the years express similar concerns. As mentioned above, environmental issues with fracking in other parts of the country include water quality, water quantity and air quality. The potential for well stimulation treatments to have impacts on ground water in Carpinteria is an important issue previously identified for the Paredon project.

The Western States Petroleum Association, which represents oil and gas producers in the region, has pledged to work with the state to implement SB 4 through appropriate regulations; however, the organization also has made clear that it is opposed to a moratorium while this process occurs (Attachment G).

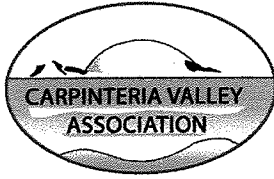
The City Council has several options for responding to the CVA request:

1. Direct staff to prepare a Resolution for its consideration of submittal to Governor Brown. A resolution could serve to make a request to the Governor's office, if that is determined appropriate, and/or establish policy of the City with regard to well stimulation treatments.
2. Direct staff to prepare a letter for its consideration of submittal to the Governor making the request for a well stimulation treatment moratorium in California.
3. Take no action.

III. ATTACHMENTS

- A. Carpinteria Valley Association letter, dated January 17, 2014
- B. Analysis of SB 4 for Senate
- C. Narrative of Draft DOGGR well stimulation treatment rules
- D. Notice of Preparation of Environmental Impact Report
- E. City of Carpinteria Resolution No. 80
- F. SB County Comment Letters on NOP and Draft Regulations
- G. Western States Petroleum Association Press Release
- H. Map of Hydraulic Fracturing in Federal Waters

Attachment A



Carpinteria Valley Association
PO Box 27
Carpinteria CA 93013
408.666.7356

Al Clark
City of Carpinteria
5775 Carpinteria Ave.
Carpinteria CA 93013

January 17, 2014

Re: Fracking Moratorium

The Board of the Carpinteria Valley Association would like to request that the Carpinteria City Council adopt a resolution calling for a state-wide moratorium on fracking until June, 2015 or such later time as DOGGR issues its Final EIR on fracking.

This will add our city's voice to the rising chorus of localities, citizens and legislators requesting this important action.

Our suggested text is appended here, along with related requests from legislators and citizens' groups, and supplied as an electronic file.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Taylor", with a stylized flourish at the end.

Jim Taylor
Board Member, Oil & Gas Committee Chair

Resolution supporting a fracking moratorium in the State of California.

WHEREAS, Fracking is a gas and oil resource extraction technology that drills wells vertically and horizontally deep under the earth's surface through water tables, injecting well stimulation fluids of various kinds, including acids and other toxic chemicals, to crack shale and dense rock formations, requiring vast quantities of water, and producing toxic waste water, and therefore posing great potential threat to the public, the environment, the State's water supply and our coastal waters; and

WHEREAS, Fracking has heretofore been unregulated in California and the California Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR) has at best incomplete records of the locations or numbers of wells where fracking is being used to extract oil and gas in the state, nor maintains records of the types and amounts of chemicals used, the amount of water used or the disposition of the wastewater generated by this process; and

WHEREAS, DOGGR has, pursuant to the California Environmental Quality Act, undertaken a programmatic, state wide analysis and study of the environmental risks posed by fracking, which will culminate in the issuance of a Final Environmental Impact Report [EIR], scheduled to be completed by June of 2015; and

WHEREAS, The oil and gas industry is granted exceptions to compliance with federal legislation designed to protect the public and the environment, including the Safe Drinking Water Act of 1974 and the Clean Water Act of 1972; and

WHEREAS, Wastewater from fracking may be laced with hundreds of toxic chemicals, heavy metals and naturally occurring radioactive materials, as documented by the Environmental Protection Agency (EPA), and due to the volume and toxicity of fracking wastewater, treating such complex waste is difficult, making safe disposal a significant challenge and posing threats to the environment and public health and safety; and

WHEREAS, Current disposal methods in the State of California are inadequate, and allow the possibility that fracking wastewater will affect watersheds, reaching rivers, streams, wetlands, bay and coastal waters, as well as agricultural and drinking water supplies; and the disposal of wastewater by underground injection in Class II Wells has been linked to the risk of increased seismic activity, and

WHEREAS, The vast quantities of water required for the fracking process reduce the availability of water for other uses, in a state which often suffers from the effects of periodic droughts; and

WHEREAS, The fracking process releases such hazardous air pollutants as methanol, formaldehyde, and hydrogen sulfide, in addition to the release of volatile organic compounds including benzene, toluene and nitrogen oxides; the projected 15 billion barrels of oil from the Monterey Shale are estimated to release 6.45 billion metric tons of carbon dioxide, 15 times the total greenhouse gas emitted from all sources in California in 2010; and

WHEREAS, Emissions generated by drilling and fracking for shale oil and gas, and producing, refining and burning shale oil and gas, result in significant and uncontrolled emission of methane, a far more lethal greenhouse gas than carbon dioxide; due to the high quantity of leaked methane, the greenhouse gas emissions from the Monterey Shale is greater than any other fossil fuel, including coal; and

WHEREAS, Fracking in California will likely undermine the State's efforts to reduce greenhouse gas emissions to 1990 levels by 2020, per AB32, the California Global Warming Solutions Act of 2006, and the extraction of oil and gas, as well as coal, is antithetical to the necessary transition to 100% renewable energy sources needed to aggressively address greenhouse gas emissions and climate change; and

WHEREAS, Other local jurisdictions have weighed in on the issue of fracking, calling for greater regulation, bans or moratoriums, including San Francisco, Marin County, Santa Cruz County, Ventura County, the City of Los Angeles, and Santa Barbara County, and localities like Carpinteria have been asked to add their voices to the state dialogue because State policymakers are currently deciding what is to be done about fracking in California; and

WHEREAS, Protecting the health and safety of the environment and the public is of paramount concern and discouraging reliance on fossil fuels is congruent with Carpinteria's goal of reducing greenhouse gas emissions to address climate change; now, therefore, be it

RESOLVED, that the Carpinteria City Council supports a moratorium to halt fracking in the State of California, until June, 2015 or such later time as DOGGR issues its Final EIR on fracking.

January 14, 2014

Via Electronic Mail: DOGGRRegulations@conservation.ca.gov

Governor Jerry Brown
State Capitol
Sacramento, CA 95814

Dear Governor Brown:

On behalf of the 50 undersigned organizations representing more than 2 million Californians, we are writing to request that you use your executive authority to place an immediate moratorium on hydraulic fracturing, or fracking, and other well stimulation activities. In November you stated on KQED's Forum program that we should "let the science work" and that "[they] can't start [fracking] until California's rigorous study is conducted." We couldn't agree more, but unfortunately, fracking, acidizing and other forms of well stimulation are happening in California today.

We appreciate your leadership in combatting climate change and moving California to a clean energy future. Your support for AB 32 and California's other clean air and clean energy policies and programs are critically important as the state continues its implementation of these landmark laws. But ramping up dirty fossil fuel production through emerging drilling and well stimulation methods is at odds with California's clean energy, climate, water and air quality goals. Expanding oil drilling is not a sustainable path for California or for our planet.

An increasing body of evidence demonstrates that there are many reasons to be concerned about the effects of fracking and other well stimulation activities. Fracking involves injecting underground a cocktail of chemicals that can include toxics like hydrofluoric acid, formaldehyde and benzene, often through or adjacent to groundwater used for drinking and irrigation. Recently, offshore fracking has been identified in both state and federal waters, and unfortunately, some chemicals were discharged directly into the ocean. Hydraulic fracturing requires significant water resources and any major ramping up of these operations creates another competing demand for California's precious water supplies. These processes produce large quantities of toxic wastewater that requires management and disposal. Fracking has been linked to induced earthquakes, a particular concern for California. Emissions from oil and gas facilities include toxic air contaminants, smog-forming pollutants and greenhouse gases. In addition, studies link fracking to adverse impacts on human health and damage to private property.

Despite these risks, fracking enjoys dangerous exemptions from critical federal environmental laws, including the Safe Drinking Water Act, the Clean Water Act and the National Environmental Policy Act. No drilling practices, including fracking, should be exempted from our landmark federal environmental laws.

California has been at the forefront of environmental protection in many areas, but on fracking the state is still behind. It's time for us to catch up to the other states that have acted to protect public health and the environment on this critical issue. New York's Governor issued an

executive order halting fracking in order to give state regulators time to fully evaluate the risks to public health and the environment, in order to determine how to protect against them. The states of Vermont, Maryland and North Carolina, and local governments in several states, have imposed moratoria or banned fracking entirely.

A majority of Californians agree that a moratorium on fracking is needed now. A poll by the University of Southern California and the Los Angeles Times showed that 58 percent of California voters want a moratorium on fracking, at least until an independent commission has studied fracking's environmental impacts. The Public Policy Institute of California's statewide study from September, 2013 found that 53 percent of Californians oppose increased use of fracking.

The combination of advanced drilling and well stimulation techniques has made it possible to produce oil and gas from unconventional formations that were previously inaccessible. Policies that open up California to expanded fossil fuel investments – in contrast to clean energy – take us in the wrong direction on climate change by locking us into decades of carbon-intensive resources.

Governor Brown, you have a strong clean energy record and you have the authority to make sure that Californians' safety and public health come first. You can issue an executive order directing the Division of Oil, Gas and Geothermal Resources (DOGGR) to carry out its statutory duty to prevent oil and gas operations from harming human health, property, and natural resources.¹ Continued fracking leaves the health of Californians and our precious natural resources unprotected. We urge you to impose an immediate moratorium on fracking, acidizing and other forms of well stimulation.

Sincerely,

350.org

Asian Pacific Environmental Network

Azul

Baldwin Hills Oil Watch

California Coastal Coalition

California Coastal Protection Network

California League of Conservation Voters

Camp Nast Associates LLC

Center for Biological Diversity

Citizen Planning of South Monterey County

Citizens Coalition for a Safe Community

Clean Water Action

Climate Hawks Vote

Communications Workers of America, District 9, AFL - CIO

¹ See Public Resources Code section 3106(a).

Community Health Councils
CREDO
Defenders of Wildlife
Earth Law Center
Earthworks
Environment California
Environmental Defense Center
Environmental Working Group
Forests Forever
Fresnans Against Fracking
Heal the Bay
iMatter Campaign
Kids vs. Global Warming
Los Angeles Waterkeeper
Los Padres ForestWatch
Medicine Lake Citizens for Quality Environment
MoveOn.org Civic Action
Mujeres de la Tierra
Natural Resources Defense Council
Oil Change International
Planning and Conservation League
Progressive Democrats of America
Progressive Democrats of the Santa Monica Mountains
Protect Salinas Valley
San Benito Rising
SaveWithSunlight, Inc.
Seventh Generation Advisors
Sierra Club California
SLO Clean Water Action
South Monterey County Citizen Planning Alliance
Surfrider Foundation
The City Project
Wholly H2O
WILPF California Action
Women's International League for Peace and Freedom, US Section
Women's International League for Peace and Freedom, US Section, Earth Democracy Issue Group

California Legislature

The Honorable Edmund G. Brown, Jr.
Governor of California
State Capitol
Sacramento, CA 95814

Re: Moratorium on Fracking

Dear Governor Brown:

This letter is to respectfully request that you issue an executive order to prohibit the Division of Oil, Gas, and Geothermal Resources (DOGGR) within the Department of Conservation from allowing hydraulic fracturing or hydrofracturing, commonly known as fracking, in California until health and environmental concerns are addressed.

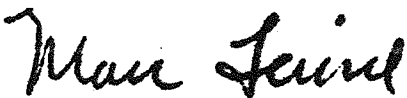
The vast public health and safety implications of fracking, as well as the tremendous public concern over this practice, require our collective and urgent action. We believe it is time to join with Californians who disapprove of the dangers fracking poses to their communities.

We the undersigned join CREDO Action in calling for this moratorium. Attached is a petition circulated by CREDO Action on this issue and signed by thousands of concerned Californians.

As you know, California values protecting our environment and public health and safety. Current studies show fracking threatens California's precious water supply, further disrupts our approach to mitigate the dangerous impacts of climate change, exacerbates our air pollution problems, and the disposal of wastewater associated with fracking may increase seismic activity.

Therefore, we respectfully request that you impose a moratorium on fracking while you fully investigate the science behind fracking for oil production.

Sincerely,



MARC LEVINE
Assemblymember, 10th Assembly District



DAS WILLIAMS
Assemblymember, 37th Assembly District



ADRIN NAZARIAN
Assemblymember, 46th Assembly District



RICHARD BLOOM
Assemblymember, 50th Assembly District



LONI HANCOCK
State Senator, 9th Senate District



BONNIE LOWENTHAL
Assemblymember, 70th Assembly District



NOREEN EVANS
State Senator, 2nd Senate District

Attachment B

BILL ANALYSIS

0

SENATE RULES COMMITTEE	SB 4
Office of Senate Floor Analyses	
1020 N Street, Suite 524	
(916) 651-1520 Fax: (916)	
327-4478	

UNFINISHED BUSINESS

Bill No: SB 4
 Author: Pavley (D), et al.
 Amended: 9/6/13
 Vote: 21

SENATE NATURAL RESOURCES AND WATER COMMITTEE : 6-2, 4/9/13
 AYES: Pavley, Evans, Hueso, Jackson, Monning, Wolk
 NOES: Cannella, Fuller
 NO VOTE RECORDED: Lara

SENATE ENVIRONMENTAL QUALITY COMMITTEE : 6-2, 5/1/13
 AYES: Hill, Corbett, Hancock, Jackson, Leno, Pavley
 NOES: Gaines, Fuller
 NO VOTE RECORDED: Calderon

SENATE APPROPRIATIONS COMMITTEE : 5-2, 5/23/13
 AYES: De León, Hill, Lara, Padilla, Steinberg
 NOES: Walters, Gaines

SENATE FLOOR : 28-11, 5/29/13
 AYES: Beall, Block, Calderon, Corbett, Correa, De León,
 DeSaulnier, Evans, Galgiani, Hancock, Hernandez, Hill, Hueso,
 Jackson, Lara, Leno, Lieu, Liu, Monning, Padilla, Pavley,
 Price, Roth, Steinberg, Torres, Wolk, Wright, Yee
 NOES: Anderson, Berryhill, Cannella, Emmerson, Fuller, Gaines,
 Huff, Knight, Nielsen, Walters, Wyland
 NO VOTE RECORDED: Vacancy

ASSEMBLY FLOOR : Not available

SUBJECT : Oil and gas: well stimulation

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SOURCE : Author

DIGEST : This bill establishes a comprehensive regulatory program for oil and gas well stimulation treatments (e.g., hydraulic fracturing, acid well stimulation), which includes, among other things, a study, the development of regulations, a permitting process, and public notification and disclosure.

Assembly Amendments make numerous substantive and clarifying changes including (1) removal the fracking permit moratorium tied to when the independent scientific study is completed; (2) revise the scope of this bill to include both hydraulic fracturing and acid well stimulation treatments ("acidizing"); (3) require the Division of Oil, Gas and Geothermal Resources

(DOGGR) to establish "threshold values" through its rulemaking process to identify acid matrix stimulation treatments subject to the bill's permitting requirements; (4) revise the "savings" clause; (5) offer a variety of other regulatory tools to all applicable regulatory entities beyond this bill; (6) add regional groundwater monitoring in the vicinity of oil and gas fields; (7) require the State Water Resources Control Board (SWRCB) to develop model criteria with input from experts and stakeholders; (8) require the SWRCB to perform the monitoring in high priority areas (9) add groundwater monitoring to the well stimulation treatment permit requirement; (10) require the state to complete a statewide environmental impact report (EIR); (11) require that the ingredient list of trade secret chemical additives be disclosed; and (12) shift the advance neighbor notification requirement to a third party from the well owner, and require that tenants be notified.

ANALYSIS : Existing law:

1. Requires the DOGGR to supervise the drilling, operation, maintenance, and abandonment of wells and the operation, maintenance, and removal or abandonment of tanks and facilities attendant to oil and gas production, including certain pipelines that are within an oil and gas field, so as to prevent, as far as possible, damage to life, health, property, and natural resources; damage to underground oil and gas deposits from infiltrating water and other causes; loss of oil, gas, or reservoir energy, and damage to

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underground and surface waters suitable for irrigation or domestic purposes by the infiltration of, or the addition of, detrimental substances.

2. Requires the operator of any well, before commencing the work of drilling the well, to file with DOGGR a written notice of intention to commence drilling. Prohibits the commencement of drilling until approval is given by DOGGR. If DOGGR fails to give the operator written response to the notice within 10 working days from the date of receipt, requires that failure to be considered an approval of the notice.

This bill:

1. Defines "well stimulation treatment" as any treatment of a well designed to enhance oil and gas production or recovery by increasing the permeability of the formation. Specifies that hydraulic fracturing and acid well stimulation are well stimulation treatments. Specifies that steam flooding, water flooding, cyclic steaming, routine removal of formation damage due to drilling, routine well cleanout work, routine well maintenance, bottom hole pressure surveys, and routine activities that do not affect the integrity of the well or the formation are not well stimulation treatments.
2. Requires, on or before January 1, 2015, the Secretary of the Natural Resources Agency to complete a comprehensive independent scientific study on well stimulation treatments. Requires the scientific study to evaluate the hazards and risks that well stimulation treatments pose to natural resources and public, occupational, and environmental health and safety.
3. Requires, on or before January 1, 2015, DOGGR, in consultation with the Department of Toxic Substances Control (DTSC), the State Air Resources Board (ARB), the SWRCB, the Department of Resources Recycling and Recovery (CalRecycle), and any local air districts and regional water quality control boards in areas where well stimulation treatments may occur, to adopt rules and regulations specific to well stimulation treatments. Requires these regulations to include the following: (a) revisions to the rules and

regulations governing construction of wells and well casings to ensure the integrity of wells, well casings, and the

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geologic and hydrologic isolation of the oil and gas formation during and following well stimulation treatments, (b) full disclosure of the composition and disposition of well stimulation fluids, (c) a provision for the well operator to provide for baseline and followup water testing upon request by a nearby property owner; and (d) threshold values for acid matrix stimulation treatments, as specified.

4. Requires, while regulations are being developed, DOGGR to allow all well stimulation treatment activities, provided that various conditions are met, including the following:
 - A. The owner or operator of the well certifies compliance with the disclosure and notification requirements in the bill;
 - B. The owner or operator provides to DOGGR on or before March 1, 2015 a complete well history incorporating the disclosure information required in the bill; and
 - C. DOGGR conducts an EIR (to be completed by July 1, 2015) to provide the public with detailed information regarding any potential environmental impacts of well stimulation in the state.
1. Requires, on or before January 1, 2015, DOGGR to enter into formal agreements with DTSC, ARB, SWRCB, CalRecycle, and any local air districts and regional water quality control boards in areas where well stimulation treatments may occur, that clearly delineate respective authority, responsibility, and notification and reporting requirements associated with well stimulation treatments and well stimulation treatment-related activities, including air and water quality monitoring, in order to promote regulatory transparency and accountability.
2. Requires the operator of an oil and gas well who wishes to perform well stimulation treatments to first apply for a permit with DOGGR to conduct such treatments. Requires the permit to include the well identification number and location; the time period during which the treatment is planned to occur; a water management plan regarding water quantity, source, and disposal; specific information related to the chemicals used in the treatment; the planned location of the treatment on the well bore; the estimated length,

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height, and direction of the induced fractures; the location of existing wells, including plugged and abandoned wells, that may be impacted; a ground water monitoring plan; and the estimated amount of treatment-generated waste material and an identified disposal method for the waste materials. Requires the permit to expire one year from the date of issuance.

3. Provides for the pre-Well Stimulation Treatment Notification:
 - A. Within five business days of issuing a permit to perform a well stimulation treatment, requires DOGGR to provide a copy of the permit to the appropriate regional

water quality control board(s) and to the local planning entity where the well, including the subsurface portion, is located.

- B. Within five business days of issuing a permit to perform a well stimulation treatment, requires DOGGR to post the permit on a publicly accessible portion of its Internet Web site.
 - C. Requires that a copy of the approved well stimulation permit and information on the available water sampling and testing, as described, be provided to every tenant of the surface property and every surface property owner whose property line location is within a 1,500 foot radius of the wellhead or within 500 feet from the horizontal projection of all subsurface portions of the designated well to the surface. Allows well stimulation treatment to commence 30 days after the permit copies are provided to the appropriate surface property tenants and owners.
 - D. Requires the operator of the oil and gas well to provide DOGGR at least 72 hours' notice prior to the actual start of the well stimulation treatment in order for DOGGR to witness the treatment.
1. Allows a property owner who receives a well stimulation treatment notice to request water quality sampling and testing from a qualified contractor designated by the regional water quality control board. Requires the well owner or operator to pay for this sampling and testing.

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2. Requires, within 60 days after the cessation of well stimulation treatment, the operator of the oil and gas well to post to an Internet Web site designated or maintained by DOGGR and accessible to the public, all of the well stimulation fluid composition and disposition information required to be collected, including well identification number, well location, and collected water quality data. Requires DOGGR to have its Internet Web site operational on or before January 1, 2016. Requires DOGGR's Internet Web site to organize the reported information in a format, such as a spreadsheet, that allows the public to easily search and aggregate each type of information required. Authorizes DOGGR to direct reporting to fracfocus.org in the interim. Requires DOGGR to allow the public to search and sort the well stimulation and related information by at least the following criteria: (a) geographic area; (b) additive; (c) chemical constituent; (d) Chemical Abstract Service number; (e) time period; and (f) operator.
3. Allows a supplier of well stimulation chemicals to claim trade secret protections for the chemical composition of additives; however, the supplier must still provide the trade secret information to DOGGR. Requires a supplier to substantiate a trade secret claim, which is reviewed by DOGGR. If the supplier legitimately claims a trade secret, requires the supplier to publicly disclose where trade secret information has been withheld and provide substitute information as specified.
4. Requires, if DOGGR receives a request for release of the trade secret information to the public, DOGGR to notify the supplier of the request and give the supplier at least 60 days to commence a court action to prohibit the release of information.
5. Allows disclosure of trade secret information to a government officer or employee in connection with his/her official duties or to a contractor with a government entity if, in the opinion of DOGGR, disclosure is necessary and

required for satisfactory performance of a contract or to protect health and safety.

6. Authorizes disclosure of trade secret information to a health professional in the event of an emergency or to

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diagnose or treat a patient.

7. Requires, to protect public health, a supplier to provide trade secret information to a health professional, toxicologist, or epidemiologist who is employed in the field of public health and who provides a written statement of need. Requires the written statement of need to include the public health purpose and reason the disclosure of the specific chemical and its concentration is required.
8. Prohibits the following information from be protected as trade secret: the identities of the chemical constituents of additives; the concentration of the additives in the well stimulation treatment fluids; any air or other pollution monitoring data; health and safety data associated with well stimulation treatment fluids; and the chemical composition of the flowback fluid.
9. Requires annual public reports from DOGGR containing data and information on well stimulation as specified.
10. Authorizes a civil penalty between \$10,000 to \$25,000 per day against a person who violates the well stimulation requirements in this bill.
11. Authorizes, subject to appropriation by the Legislature, DOGGR's fee authority to be used to fund a public entity's costs associated with well stimulation treatments including rulemaking and scientific studies required to evaluate the treatment, inspections, and any air and water quality sampling, monitoring, and testing performed by public entities and the costs of SWRCB and the regional water quality control boards for its groundwater monitoring program.
12. Requires, on or before July 1, 2015, SWRCB to develop model groundwater monitoring criteria to be implemented either on a well-by-well basis for a well subject to well stimulation treatment, or on a regional scale. Requires, on or before January 1, 2016, SWRCB or appropriate regional water quality control board to begin implementation of the regional groundwater monitoring programs. Where there is no regional groundwater monitoring plan approved by SWRCB or regional water quality control board, requires the use of the

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well-by-well groundwater monitoring plan.

Background

Background on well stimulation . According to the Western States Petroleum Association (WSPA), hydraulic fracturing (also known as fracking) is a form of well stimulation used to obtain oil and natural gas in areas where those energy supplies are trapped in rock (i.e., shale) or sand formations. Once an oil or natural gas well is drilled and properly lined with steel

casing, fluids are pumped down to an isolated portion of the well at pressures high enough to cause cracks in shale formations below the earth's surface. These cracks or fractures allow oil and natural gas to flow more freely. Often, a propping agent such as sand is pumped into the well to keep fractures open.

In many instances, the fluids used in hydraulic fracturing are water-based. There are some formations, however, that are not fractured effectively by water-based fluids because clay or other substances in the rock absorb water. For these formations, complex mixtures with a multitude of chemical additives may be used to thicken or thin the fluids, improve the flow of the fluid, or even kill bacteria that can reduce fracturing performance.

Another form of well stimulation is called acid matrix stimulation, which involves the injection of acid—such as hydrochloric or hydrofluoric—into an oil and gas well to create or enhance channels for the oil and gas. Unlike hydraulic fracturing, acid matrix stimulation injection pressures are not high enough to fracture the formation.

In 2005, Congress enacted what is colloquially referred to as the "Halliburton Loophole," which exempts hydraulic fracturing (except when involving the injection of diesel fuels) from the federal Safe Drinking Water Act (SDWA). As a result of this action, the U.S. Environmental Protection Agency (US EPA) lacks the authority to regulate hydraulic fracturing activities that do not use diesel fuel as an additive.

Around the same time that Congress exempted hydraulic fracturing from SDWA, the country experienced a boom in the production of shale oil and gas. From 2007 to 2011, shale oil production

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increased more than fivefold, from approximately 39 million barrels to about 217 million barrels, and shale gas production increased approximately fourfold, from 1.6 trillion cubic feet to 7.2 trillion cubic feet. This increase in production was driven primarily by technological advances in horizontal drilling and hydraulic fracturing that made more shale oil and gas development economically viable.

But with this boom comes various issues with regard to environmental health and safety, which has caused enormous public anxiety. Cases of environmental contamination attributed to hydraulic fracturing have been reported in Wyoming, Texas, Colorado, West Virginia, and Pennsylvania. Consequently, governments at all levels across the country are looking to regulate the practice and address these concerns.

The risks associated with shale oil and gas development . According to a recent report from the U.S. Government Accountability Office (GAO), which is an independent, nonpartisan agency that works for Congress, "[d]eveloping oil and gas resources poses inherent environmental and public health risks, but the extent of risks associated with shale oil and gas development is unknown, in part, because the studies we reviewed do not generally take into account potential long-term, cumulative effects." The GAO's report categorizes the environmental risks into the four major categories: air quality, water quantity, water quality, and land and wildlife.

With regard to air quality, the risks are "generally the result of engine exhaust from increased truck traffic, emissions from diesel-powered pumps used to power equipment, intentional flaring or venting of gas for operational reasons, and unintentional emissions of pollutants from faulty equipment." The GAO report also explains how silica sand, a proppant commonly used in hydraulic fracturing, and storing fracturing fluids and produced waters in impoundments can cause air quality

issues. Silica sand, if not properly handled, can become airborne, lodge into a person's lungs, and cause silicosis, which is an incurable lung disease. Impoundments (i.e., ponds) containing fracturing fluids and produced waters (i.e., the water produced when oil and gas are extracted from the ground) pose a risk because the evaporation of the fluids has the potential to release contaminants into the atmosphere.

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With regard to water quantity, water is used for well drilling operations to make drilling mud as well as to cool and lubricate the drill bits. Water is also the primary component of hydraulic fracturing fluids. According to the GAO, "the amount of water used for shale gas development is small in comparison to other water uses, such as agriculture and other industrial purposes. However, the cumulative effects of using surface water or ground water at multiple oil and gas development sites can be significant at the local level, particularly in areas experiencing drought conditions." It should be noted that the oil and gas industry and DOGGR both assert that the amount of water used for hydraulic fracturing in California is a fraction of what is used in other states. This assertion is based on information voluntarily provided by oil and gas operators. It is not clear whether this information is representative of all hydraulic fracturing in the

state. Additionally, with the potential for an oil boom in the Monterey Shale (which is explained in more detail below), it is too speculative to determine the type and amount of well stimulation that will take place in the future and how much water will be needed.

With regard to water quality, the GAO explains that shale oil and gas development pose risks from contamination of surface water and ground water as a result of spills and releases of hydraulic fracturing chemicals, produced water, and drill cuttings. Spills and releases of these materials can occur as a result of tank ruptures, blowouts, equipment or impoundment failures, overfills, vandalism, accidents, ground fires, or operational errors.

The potential for the spill and release of chemicals involved in hydraulic fracturing has received a great amount of public attention. According to a recent congressional report, between 2005 and 2009, oil and gas companies throughout the U.S. used hydraulic fracturing products containing 29 chemicals that are known or possible human carcinogens; regulated under the SDWA for their risk to human health; or listed as hazardous air pollutants under the Clean Air Act. As for produced water, it can carry a range of contaminants, including hydraulic fracturing chemicals, salts, metals, oil, grease, dissolved organics, and naturally occurring radioactive materials. Drill cuttings (i.e., the broken bits of solid material removed from drilling) may contain naturally occurring radioactive materials, as well.

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The potential for underground migration is also a potential risk to water quality. The GAO explains that "[u]nderground migration can occur as a result of improper casing and cementing of the wellbore as well as the intersection of induced fractures with natural fractures, faults, or improperly plugged dry or

abandoned wells. There are also concerns that induced fractures can grow over time and intersect with drinking water aquifers." It should be noted that the oil and gas industry has provided information claiming that hydraulic fracturing typically occurs thousands of feet below the earth's surface and that the well casing for these wells extends below an impervious layer of rock "that would prevent any migration of fluids up into the drinking water supply." Assuming that the industry is correct, there is still the problem with well casing failures. A 2000 Society of Petroleum Engineers article regarding an oil field in Kern County explained that "the well failure rate, although lower than that experienced in the 1980s, is still economically significant at 2 to 6% of active wells per year." In Pennsylvania, poor cementing around a well casing allowed methane to contaminate the water wells of 19 families. Moreover, little data exists on fracture growth in shale formations following multistage hydraulic fracturing over an extended time period; the frequency with which refracturing of horizontal wells may occur; the effect of refracturing on fracture growth over time; and the likelihood of adverse effects on drinking water aquifers from a large number of hydraulically fractured wells in close proximity to each other.

With regard to land and wildlife, the GAO explains that "clearing land of vegetation and leveling the site to allow access to the resource, as well as construction of roads, pipelines, storage tanks, and other infrastructure needed to extract and transport the resource can fragment habitats?[which] increases disturbances?, provides pathways for predators, and helps spread nonnative plant species." Noise, the presence of new infrastructure, and spills of oil, gas, or other toxic chemicals are other risks that can negatively affect wildlife and habitat. There is also the issue of earthquakes and hydraulic fracturing. According to the GAO report, well injections, especially the injection of produced water, have been connected to seismicity.

Ideally, the environmental risks referenced above would be

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analyzed by the lead agency under CEQA. However, according to a complaint in a recent lawsuit filed against DOGGR by a number of environmental groups, the agency has been "approving permits for oil and gas wells after exempting such projects from environmental review or? issuing boilerplate negative declarations finding no significant impacts from these activities."

Well stimulation in California . According to the oil and gas industry, hydraulic fracturing has been used in California for decades. The industry claims that over 90% of hydraulic fracturing occurs in Kern County, in areas with no potable water, no surrounding population, and no other significant business interests. However, reports from various sources suggest that hydraulic fracturing in California will likely increase significantly in the upcoming years, spreading to areas throughout the state.

A recent report from the University of Southern California explains that "California boasts perhaps the largest deep-shale reserves in the world. Those reserves exist within the Monterey Shale Formation, a 1,750 square mile swath of mostly underground shale rock that runs lengthwise through the center of the state, with the major portion in the San Joaquin Basin." The U.S. Energy Department estimates that the Monterey Shale contains more than 15 billion barrels of oil, accounting for approximately two-thirds of the shale-oil reserve in the U.S. Additionally, according to a 2008 paper published by the Society of Petroleum Engineers, "it is believed that hydraulic fracturing has a significant potential in many Northern California gas reservoirs."

DOGGR, although having statutory authority to regulate well stimulation, has not yet developed regulations to address the activity. As explained below, the agency is currently focused on developing regulations that require oil and gas operators to take certain protective measures and provide information about hydraulic fracturing operations.

DOGGR's Draft Regulations . On December 28, 2012, DOGGR released a pre-rulemaking discussion draft of regulations on hydraulic fracturing-this draft does not address other forms of well stimulation, such as acid matrix stimulation. The proposed hydraulic fracturing regulations attempt to impose requirements

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on operators aimed to improve transparency and safety. Specifically, the proposed regulations would require an operator to: (1) submit information to DOGGR at least 10 days prior to beginning hydraulic fracturing operations and notify DOGGR at least 24 hours prior to commencing hydraulic fracturing operations (advance disclosure of hydraulic fracturing chemicals is not required); (2) prior to operations, test the structural integrity of wells and casings to prevent fluid migration; (3) store and handle hydraulic fracturing fluids in a specified manner; (4) monitor a specified set of parameters during hydraulic fracturing operations and, in case a breach occurs, terminate operations and immediately notify DOGGR about the breach; (5) after the conclusion of operations, monitor wells for up to 30 days and maintain data for a period of five years; and (6) disclose data to a Chemical Disclosure Registry (such as fracfocus.org) that is not a trade secret, unless a health professional submits a written statement of need stating that the trade secret information will be used for diagnosis or treatment of an individual exposed to hazardous hydraulic fracturing chemicals and the health professional also executes a confidentiality agreement.

CEQA review of oil and gas wells . DOGGR regularly approves oil and gas development proposals under the CEQA categorical exemptions for minor alterations to land or existing facilities, or by way of negative or mitigated negative declarations. As a result, oil and gas permits are rarely reviewed in EIRs that would evaluate the potential risks associated with hydraulic fracturing.

FISCAL EFFECT : Appropriation: No Fiscal Com.: Yes
Local: Yes

According to the Assembly Appropriations Committee:

1. One-time costs of \$2 million for DOGGR's initial activities including rulemaking. Ongoing costs of approximately \$2 million for DOGGR to provide regulatory oversight.
2. Unknown Increased initial and ongoing costs to the SWRCB and regional boards to provide groundwater monitoring depending on well activity.
3. Unknown significant costs to the Natural Resources Agency,

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potentially in the hundreds of thousands of dollars to conduct an independent scientific study.

4. Ongoing costs of approximately \$2 million for the ARB to update their regulations and provide associated monitoring.
5. Unknown one-time and ongoing costs for CalRecycle and the DTSC likely in the hundreds of thousands of dollars to consult with DOGGR in regulation development and form multi-agency agreements.

SUPPORT : (Verified 9/12/13)

Senator Dianne Feinstein
Alameda County Water District
American Lung Association in California
Association of California Water Agencies
California Association of Environmental Health Administrators
California Association of Professional Scientists
California Coastal Protection Network
California Interfaith Power and Light
Citizens for Responsible Oil and Gas
City of Los Angeles Councilmember, Gil Cedillo
City of Malibu Mayor, Lou LaMonte
City of Moorpark
City of Moorpark Councilmember, David Pollock
City of Oxnard Councilmember, Carmen Ramirez
City of Ventura Councilmember, Brian Brennan
Clean Coalition
Community Alliance with Family Farmers
County of Ventura Supervisor, Linda Parks
County of Ventura Supervisor, Steve Bennett
Environmental Defense Center
Los Angeles Community College District
Los Angeles County Board of Supervisors
Los Angeles County Democratic Party Central Committee
Paw PAC
San Fernando Valley Young Democrats
San Francisco Baykeeper
Santa Cruz County Board of Supervisors
South Coast Air Quality Management District
The League of Women Voters
Ventura County Board of Supervisors

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OPPOSITION : (Verified 9/12/13)

American Chemistry Council
California Business Properties Association
California Chamber of Commerce
California Environmental Justice Alliance
California Independent Petroleum Association
California Manufacturers and Technology Association
Center for Biological Diversity
Citizen's Coalition for a Safe Community
Department of Finance
Food and Water Watch
Halliburton Energy Services, Inc.
Kern County Board of Supervisors
Physicians for Social Responsibility - Los Angeles
Sierra Club California
Southwest California Legislative Council
Western States Petroleum Association

ARGUMENTS IN SUPPORT : The Environmental Defense Center states, "while the state of California is widely regarded as the nation's leader on environmental issues, our state lags far behind other major oil and gas producing states in the development of a legal and regulatory framework to address fracking and the significant risks it poses to the public health, safety, and the natural environment? No one but the oil industry truly knows the location, extent, or frequency of fracking, the source and volume of water used, or what chemicals are being utilized? SB 4 would remedy this unacceptable status

quo."

Ventura County states the county is "highly dependent on local groundwater resources for potable water, and groundwater is the lifeblood of the County's \$1 billion-plus agricultural industry? Ventura County has historically balanced oil and gas production and the jobs it brings with the protection of our natural and agricultural resources. It is important that this balancing continue to occur."

ARGUMENTS IN OPPOSITION : In a joint letter, the Western States Petroleum Association states that "SB 4 imposes a moratorium on the use of hydraulic fracturing in oil and gas production starting on January 1, 2015, until [the state's] regulations are complete. This would unnecessarily and

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substantially threaten our supplies of oil and natural gas, raising business costs and harming California's economy." They continue, "This significant, untimely burden on California's businesses and economy is unnecessary. Oil and gas production as a whole is heavily regulated and monitored, and hydraulic fracturing has been used for decades with no reported incidents of harm to the environment or public health. Opponents argue that SB 4 will not provide added public health or environmental protections, but it will increase business costs, hamper California's economic recovery and deprive our state of much-needed fuel, jobs and tax revenues indefinitely."

RM:k 9/12/13 Senate Floor Analyses

SUPPORT/OPPOSITION: SEE ABOVE

**** END ****

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Attachment C

Narrative Description of Well Stimulation Draft Regulations

On September 20, 2013, Governor Brown signed into law Senate Bill 4 (Pavley, Chapter 313, Statutes of 2013). SB 4 complements existing rules that require some of the strongest well construction standards in the nation by enacting further safeguards to public health and safety and the environment regarding the practices known as well stimulation, including hydraulic fracturing.

SB 4 requires a permit from the Division of Oil, Gas, and Geothermal Resources to conduct well stimulation. The permit application must include detailed information about the fluids to be used, a ground water monitoring plan, and a water management plan. Copies of an approved permit must be sent to neighboring property owners and tenants, and water well testing must be provided upon request. SB 4 requires the Division to prepare regulations to ensure that well stimulation is done safely and to require detailed public disclosure about the well stimulation. The Division must develop an internet website to facilitate public disclosure of well stimulation information, and the website must allow the public to easily search and aggregate the information.

The well stimulation regulations that the Division will develop will be among the most protective in the nation and will address important operational requirements such as pressure testing, well evaluation, geologic evaluation, well monitoring, and storage and handling of fluids. The Division will also develop regulations to implement SB 4 permitting and neighbor notification requirements.

SB 4 requires the Division to prepare an environmental impact report consistent with the California Environmental Quality Act, addressing the practice of well stimulation in California. Additionally, SB 4 requires the Natural Resources Agency to complete an independent scientific study on well stimulation treatments, and the State Water Resources Control Board to develop groundwater modeling criteria and implement ground water monitoring programs.

The Department of Conservation (Department) has released the Division's proposed regulations governing well stimulation. This narrative describes, in lay terms, the current regulations governing well stimulation and the effect of the proposed regulations. This document addresses only the well stimulation regulations and does not summarize other requirements of SB 4, such as the EIR or independent scientific study.

Background

All oil and gas wells in California are constructed to meet a high standard. The Division reviews well designs before drilling to ensure the construction plans meet stringent well construction standards. Some states have lower standards for "typical" oil and natural gas wells and then raise their standards for wells through which a well stimulation practice like hydraulic fracturing



or acid matrix stimulation will occur. California maintains a high construction standard for ALL wells.

Well construction standards have a fundamental purpose – to ensure “zonal isolation.” Zonal isolation means that oil and gas coming up a well from the underground geologic production zone will not escape the well and migrate into other geologic zones, including zones that might contain fresh water. Zonal isolation also means that any fluids an oil and gas operator puts down a well for any purpose will either stay in that zone or be brought up to the surface, and are not allowed migrate to another zone. To achieve zonal isolation, current rules require that a cement barrier be placed between the well and the surrounding geologic strata or stratum. The cement bonds to the surrounding rock and forms a barrier against fluid migration between the well and the surrounding rock. Cement barriers must meet certain standards for strength and integrity. If they do not meet the standards, they must be fixed or replaced. Metal casings – sometimes several layers of metal and cement, depending upon the well depth – also separate the fluids going up and down a well bore from the surrounding geology. If the integrity of a well is compromised by ground movement or other mechanisms, the operators must fix the well.

Once well operators drill into oil- and gas-bearing geologic formations, if there is recoverable oil or gas, they begin extraction of the resource. In some cases, the oil or natural gas will not flow freely to the well and the hydrocarbon formation must be stimulated (commonly referred to as either “production stimulation” or “well stimulation”). There are a variety of stimulation techniques intended to increase the permeability of the hydrocarbon formation and, thus, improve the flow of oil or natural gas from the geologic stratum to the well so hydrocarbon resources can be produced.

There are three broad types of well stimulation used in California that are the focus of SB 4 and the Department's supporting regulations:

- Hydraulic fracturing (HF) involves the temporary application of fluids at very high pressures to the oil or gas producing stratum designed to create new fissures through which oil or gas can flow back to the well and be produced. Without these fissures, the geologic zone would not as easily release the oil or gas and the well would not flow. The pressures applied must be high enough to break the geologic formation (i.e., higher than the stratum's “fracture pressure”). In HF, a fluid with chemicals and additives intended to achieve certain ends is injected into the formation under pressure. A “proppant” (typically sand, or small resin or ceramic beads) is added so that the fractures created by the pressure do not collapse back on themselves under the weight of thousands of feet of overlying rock. If the fractures were to close after the stimulation treatment, no additional flow of oil or gas would occur. Some chemicals and additives in the fracturing fluid help make sure the proppant remains in a gel-like solution (instead of settling to the bottom of the fluid) for circulation into the fissures. Other additives dissolve the gel after the fractures are created to allow the “fracturing fluid” to come back to the surface and leave the proppants behind in the fissures. Still others are inserted to ensure that bacteria from the surface are not accidentally injected into the



geologic stratum, where they might form biofilms or cultures that could clog the flow of the well.

- Acid fracturing is similar to HF in that the fluids are injected above the hydrocarbon-bearing formation's fracture pressure to create fractures in the hydrocarbon zone. Unlike HF, however, sometimes a proppant is not used. In this case, the formation that is fractured is also etched by the acid, creating channels through which oil and natural gas can flow back to the well bore for production to the surface. When no proppant is used, gelling agents to hold proppant in suspension are not necessary. The acidity of the fluid may also remove the necessity of using other chemicals as biocides, although that is dependent upon the type and strength of the acid used.
- Acid matrix stimulation is the application of acid below a formation's fracture pressure to etch existing fissures, increase the hydrocarbon formation's permeability, and increase flow of oil or natural gas to the well bore. The pressures involved in this injection are lower than the fracture pressure of the surrounding rock, as the acid used is propagated into the hydrocarbon formation without need to fracture the formation. The need for gelling agents and agents that break the gel are not necessary, as no proppant needs to remain in suspension. Similarly, the use of other chemicals as a biocide may be reduced, dependent upon the concentration of acid used.

Some of the chemicals used in fracturing fluids are non-toxic, but others have potential health hazard properties. Once the fluids are injected, most of them are produced back to the surface through the same well into which they were injected.

California oil and natural gas is almost always associated with "produced water" – that is, brackish water that is sometimes as salty as the Earth's oceans has already been trapped in the oil or gas formation for millions of years. Generally, there is far more water in a reservoir formation than there is oil or natural gas; 80-90 percent water is not uncommon in California oil and gas fields. This means that, on average for all wells in the state, for every 100 barrels of fluid produced, more than 80 of the barrels of fluid are brackish water. One of three things can happen to this water: it can be re-injected through regulated injection wells for enhanced oil operations; it can be re-injected into regulated wastewater disposal wells; or it can be treated to meet standards that allow use for other purposes or discharge. When well stimulation occurs, most of the fluid used in the stimulation is pumped to the surface along with the produced water, making separation of the stimulation fluids from the produced water impossible. The stimulation fluid is then co-disposed with the produced water. Current regulations specify the disposal requirements for these fluids – for instance, existing regulations govern how fluids are disposed of in disposal wells, how they are used to enhance oil production from existing reservoirs, or how they are treated.



Current Well Approval Process

Operators apply to the Department before drilling an oil or gas well. If their well construction proposal meets the Department's standards, the Division of Oil, Gas, and Geothermal Resources approves the proposal. Once the well is authorized, the operator is allowed to construct the well to the applicable standards and operate it in accordance with existing rules. If the well loses integrity – for example, damage to the well results in an inability to provide zonal isolation – the operator must remedy the situation. Also, if the well operator wants to change the well's depth or change the well from a "producing well" to an "injection well" or to a "disposal well," the Department/Division must review the proposed change. The Department's existing regulations protect groundwater, public health and safety, and the environment through adherence to high construction standards and maintenance of the well's integrity. These protections remain in effect, regardless of the well stimulation techniques applied to the geologic formation through the well.

Operator Requirements Under the Proposed Regulations and SB 4

1. Evaluation Prior to a Well Stimulation Treatment.

Cement Evaluation. The proposed regulations require an operator to perform a cement evaluation log to demonstrate that the cement outside of the production casing is competent to ensure zonal isolation during and following a well stimulation treatment. Another cement evaluation method may be used if it is capable of demonstrating the adequacy of the cement. If adequate cement coverage and bonding cannot be demonstrated, then the operator must develop a plan for remediating the cement before a well stimulation treatment is performed. Cement evaluation may be waived if the well has cement in place beyond what is required under the applicable well construction regulation, or if the Division is satisfied that past experience with drilling and production in the area has proven that the method of well construction and cementing employed will ensure that there will be no voids in the annular space of the well.

Well Stimulation Treatment Radius Analysis. The proposed regulations require an operator to perform a well stimulation treatment radius analysis to demonstrate that there is no potential conduit for fluid to migrate out of the hydrocarbon zone where the well stimulation treatment will occur. Based on modeling approved by the Division, the operator is required to review a three-dimensional area that is twice the anticipated distance of the well treatment to verify that there is no well or fault in that area that could act as a conduit for fluid to contaminate protected water. If the area of five times the anticipated well treatment length extends beyond the hydrocarbon zone where the well stimulation treatment will occur, then the operator must also demonstrate that the adjacent geological formations will contain the well stimulation treatment.

Well Stimulation Treatment Design. The proposed regulations require an operator to prepare a well stimulation treatment design that demonstrates that the cement evaluation and the well



stimulation treatment radius analysis have been completed and that the findings have been synthesized and employed.

2. Well Stimulation Permit Application.

SB 4 requires operators to obtain a permit from the Division in advance of performing a well stimulation treatment. The permit application includes the following: the identification and location of the well; the time period during which the well stimulation treatment is planned to occur; a water management plan; a list of the anticipated identity and concentration of the chemical constituents of the well stimulation treatment fluids the operator plans to use; modeling of the well stimulation treatment and identification of plugged and abandoned wells and geologic faults within the modeled treatment area; a groundwater monitoring plan meeting the criteria of the applicable Regional Water Quality Control Board; an estimate of treatment-generated waste materials that are not addressed in the water management plan; identification and contact information of the operator; the depth of the base of fresh water; and the results of specified evaluation and modeling.

The Department's proposed regulations make clear that well stimulation treatments must be performed in accordance with the conditions of the permit issued by the Division, and establish the permit process that must be followed by operators.

3. Neighbor Notification and Water Testing. SB 4 requires operators to hire an independent entity or person to provide notification to every tenant and owner of neighboring property within a specified distance from the wellhead and horizontal projection of a well that will have a well stimulation treatment performed on it. The statute requires operators to provide neighbor notification at least 30 days prior to commencing the well stimulation treatment and notified property owners may request baseline and followup water quality testing at the operator's expense.

4. Pressure Testing Prior to Well Stimulation Treatment. The proposed regulations require operators to pressure test the well, and the equipment to be used for hydraulic fracturing, prior to commencing a well stimulation treatment. Pressure testing must be performed to a pressure equal to 125 percent of the pressure anticipated during the well stimulation treatment. If there is a pressure drop of 10 percent or more, then the casing or tubing cannot be used unless the problem is corrected and there has been a successful pressure test. The operator must give the Division at least 24-hours notice before pressure testing so that the Division will have an opportunity to witness the testing.

5. Monitoring During a Well Stimulation Treatment. The proposed regulations require the operator to monitor the surface injection pressure, the slurry rate, the proppant concentration, the fluid rate, and the pressure of each annuli of the well during a well stimulation treatment for indications that a well breach may have occurred or that fluid is not confined to the intended zone. Further, the proposed regulations specify two thresholds at which the operator must terminate the well stimulation treatment, report the incident to the Division, and conduct diagnostics. The Division must be notified when diagnostics are conducted so that Division staff



has an opportunity to witness the diagnostics. If diagnostics indicate that a well breach did occur during well stimulation treatment, then the operator must immediately shut-in the well and isolate the perforated section. In addition, the operator must provide essential information about the event to the Division and the local Regional Water Quality Control Board to facilitate incident response. The information that the operator must provide includes a description of events leading up to the well breach, an exact description of the chemical composition of the fluids in the well at the time of the well breach, an estimate of the volume of fluid lost during the well breach, and available data about the protected water closest to the well breach.

6. Monitoring After a Well Stimulation Treatment. The proposed regulations require operators to perform ongoing monitoring of a well that has had a well stimulation treatment to determine if there is any indication of a well breach and, if there is such indication, immediately inform the Division and the local Regional Water Quality Control Board, conduct diagnostics, and take all appropriate measures to prevent contamination of protected water or loss of hydrocarbon resources. The required monitoring includes monitoring of production pressures and monitoring the oil, gas, and water produced from the well, including the readily identifiable volume of well stimulation treatment fluid flowback. This monitoring must occur at least once every two days for the first thirty days and monthly after that. Monitoring of the well output may be stopped once the operator has seen a 95 percent reduction in the amount of well stimulation treatment fluid in the produced fluid. The proposed regulations also require operators to report annular pressures to the Division on an annual basis, and immediately inform the Division in the case of specified occurrences. For monitoring purposes, the annular valve must be kept accessible at the surface, unless the Division is satisfied that there are no voids in the annular space of the well. A pressure release device is required for the annulus and the maximum set pressure is specified. The Division may waive the requirement of a pressure release device if satisfied that the need for one is alleviated by other forms of technical analysis and or by operating experience in the area.

7. Disclosure. SB 4 requires an operator to post, within 60 days following the cessation of a well stimulation treatment, specified information regarding the composition and disposition of well stimulation fluids, including, but not limited to, hydraulic fracturing fluids, acid well stimulation fluids, and flowback fluids, to a Web site designated or maintained by the Division, and accessible to the public. The proposed regulations reiterate the disclosures specified in the statute, with some minor additions and non-substantive revisions for the sake of clarity.

8. Trade Secrets. Some operators and contractors for operators claim that the chemical composition of the well stimulation fluids they use are subject to trade secret protections. Trade secret protections are specified primarily in the California Civil Code. SB 4 requires that, whether or not the information is claimed as trade secret, it must be disclosed to the Division. A supplier may designate that the information is a trade secret, and submit the information to the Division along with a specified justification. The Division is then required to make a determination of whether or not the information is a protected trade secret. After the determination, SB 4 sets forth a process by which the information can be obtained, how the trade secret information would be disclosed, and how the supplier may seek to obtain a



preliminary injunction prohibiting disclosure of the information to the public if it disagrees with the trade secret determination of the Division. SB 4 also provides that even if the information is a protected trade secret, it must be disclosed to specified government entities, or for a health professional who reasonably believes that the information may be necessary in the diagnosis or treatment of a patient.

9. Storage and Handling of Well Stimulation Fluids. Current law and regulations administered by the Department/Division contains provisions governing notification, response and clean-up of spills in the oil field environment. The proposed regulations clarify that well stimulation fluids are subject to those reporting, response, and clean-up requirements. Concentrated well stimulation fluid stored on-site prior to mixing, mixed well stimulation fluids, and produced fluids, including the well stimulation fluid flowback, will all be subject to those requirements. In addition, the proposed regulations specify that well stimulation fluids may not be stored at any time in unlined sumps or pits. Further, in the event of a release or spill, operators will be required to provide a report to the Department/Division detailing activities leading up to the release, types and volumes released, cause of release, actions taken to stop, control, and report the release, and steps taken to prevent future releases.

10. Post Well Stimulation Treatment Report. The proposed regulations require an operator to submit a report to the Division detailing what happened during the well stimulation treatment. Within sixty days after a well stimulation treatment, the operator is required to report to the Division on what the results were, what pressures were encountered, and how the operations differed from what was anticipated in the treatment design. In addition, the operator is required to review data available from the U.S. Geological Survey and indicate to the Division if there have been any seismic events of magnitude 2.0 or greater in the area of the well stimulation treatment.



Attachment D

**DEPARTMENT OF CONSERVATION***Managing California's Working Lands***DIVISION OF OIL, GAS, & GEOTHERMAL RESOURCES**

801 K STREET • MS 20-20 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 445-9686 • FAX 916 / 323-0424 • TDD 916 / 324-2555 • WEB SITE conservation.ca.gov

Notice of Preparation

(of Environmental Impact Report
required by Public Resources Code
section 3161, subd. (b)(3) and (4))

DATE: November 15, 2013**TO:** All Interested Parties**FROM:** California Department of Conservation
Division of Oil, Gas and Geothermal
Resources
801 K Street, MS 18-00
Sacramento, CA 95814-3530

Subject: The California Department of Conservation, through its Division of Oil, Gas, and Geothermal Resources (DOGGR), pursuant to newly enacted legislation (SB 4 (Pavley) / Public Resources Code section 3161, subdivisions (b)(3) and (4)), will prepare an Environmental Impact Report (EIR) to evaluate the impacts of existing and potential future oil and gas well stimulation treatments occurring within California (the Proposed Project). DOGGR, acting as the lead agency, will prepare a Draft and Final EIR consistent with the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Division 13, commencing with Section 21000) and the State CEQA Guidelines (California Code of Regulations Chapter 3, commencing with Section 15000). Through this Notice, DOGGR solicits public and regulatory agency input as to the scope and content of the EIR.

Notwithstanding the time limits mandated by State law (see State CEQA Guidelines Section 15082, subdivision (b)), comments on this Notice of Preparation (NOP) may be submitted and must be received in writing on or before **January 16, 2014 at 5pm** (60 days after the date of the posting of this NOP with the State Clearinghouse within the Office of Planning and Research).

Written comments may be sent by regular U.S. Mail or other carrier to:

Ms. Adele Lagomarsino
California Department of Conservation
Division of Oil, Gas and Geothermal Resource
801 K Street, MS 18-00
Sacramento, CA 95814-353

Written comments submitted via e-mail communication are encouraged; however, please remember to include your name and return address in the e-mail message. E-mail messages and attachments should be sent to:

SB4EIR@conservation.ca.gov

In addition to the receipt of written comments, DOGGR will conduct scoping meetings to solicit input from the public, federal, State, and local agencies, stakeholders, interest groups, and any other interested parties. Comments can be submitted verbally at one of the scoping meetings to be held on the dates, times, and locations indicated (and amended as necessary) on **page 4** of this NOP.

Summary of the Proposed Project

The California laws for the Conservation of Petroleum and Gas (Public Resources Code Division 3, Chapter 1, commencing with Section 3000, herein referenced as “Division 3, Chapter 1”) and the California Code of Regulations (Title 14 (Natural Resources), Division 2 (Department of Conservation), herein referenced as “Title 14, Division 2”), mandate DOGGR to supervise the drilling, operation, maintenance and abandonment of oil, gas and geothermal wells within the State.

On September 20, 2013, Governor Edmund G. Brown Jr. signed into law Senate Bill Number 4 (SB 4). SB 4 amends sections 3213, 3215, 3236.5 and 3401 of, and adds Article 3 (commencing with Section 3150) to, Division 3, Chapter 1 of the Public Resources Code. SB 4 additionally appends section 10783 to the California Groundwater Monitoring Act of the Water Code. SB 4’s new Public Resources Code section 3161, subdivisions (b)(3) and (4), requires DOGGR to prepare the EIR noticed by this NOP. The full text of SB 4 can be viewed at:

[HTTP://LEGINFO.CA.GOV/PUB/13-14/BILL/SEN/SB 0001-0050/SB 4 BILL 20130920 CHAPTERED.PDF](http://leginfo.ca.gov/pub/13-14/bill/sen/sb_0001-0050/sb_4_bill_20130920_chaptered.pdf)

In response to other requirements of SB 4, DOGGR has drafted proposed regulations to implement the amendments and additions to Division 3, Chapter 1. The draft regulations were publicly released on November 15, 2013 and would be added to Title 14, Division 2, Chapter 4 (Development, Regulation, and Conservation of Oil and Gas Resources), Subchapter 2 (Environmental Protection). The proposed regulations provide the definition of “well stimulation treatment.” The proposed regulations also add Article 4 (Hydraulic Fracturing) to Subchapter 2, which specifies both definition of hydraulic fracturing, and the actions that must be complied with prior to, during, and after an oil or gas well is stimulated or hydraulically fractured.

SB 4’s newly enacted Public Resources Code section 3157 of Division 3, Chapter 1, as amended, defines oil and gas well stimulation as: “any treatment of a well designed to enhance oil and gas production or recovery by increasing the permeability of the formation. Well stimulation treatments include, but are not limited to, hydraulic fracturing treatments and acid well stimulation treatments. Well stimulation treatments do not include steam flooding, water flooding, or cyclic steaming. Additionally, such treatments do not include routine well cleanout work, routine well maintenance, routine removal of formation damage due to drilling, bottom hole pressure surveys, or routine activities that do not affect the integrity of the well or the formation.”

Section 3158 of Division 3, Chapter 1, as amended, defines acid well stimulation as a “treatment that uses, in whole or in part, the application of one or more acids to the well or underground geologic formation. The acid well stimulation treatment may be at any applied pressure and may be used in combination with hydraulic fracturing treatments or other well stimulation treatments. Acid well stimulation treatments include acid matrix stimulation treatments and acid fracturing treatments. Acid matrix stimulation treatments are acid treatments conducted at pressures lower than the applied pressure necessary to fracture the underground geologic formation.”

Pursuant to Section 3161(b)(3), DOGGR must prepare an EIR to provide the public with “detailed information” regarding any potential environmental effects associated with oil and gas well stimulation treatments within the State. EIRs are allowable under CEQA for a series of actions or activities that can be characterized as one large project and are related either:

- geographically;
- as logical parts of a chain of activities;
- in connection with rules, regulations, plans or other general criteria governing a continuing ; and/or,
- as individual activities carried out under common authority (statutory or regulatory) and having similar environmental effects which can be mitigated in similar ways.

Objectives of the Proposed Project

The objectives of the Proposed Project are to:

- ensure DOGGR's compliance with a requirement of SB 4;
- identify, evaluate and disclose the potential environmental impacts of well stimulation treatments of both conventional and non-conventional oil and gas resources within the State;
- further the Legislature's efforts to ensure that well stimulation practices are conducted in a manner that assures environmental protection, public safety, data collection and reporting, interagency coordination, regulatory oversight and monitoring, and public disclosure; and,
- allow for the safe recovery and production of the State's oil and gas resources.

Proposed Scope of the EIR

The EIR will address impacts resulting from existing well stimulation activities associated with conventional oil and gas reservoirs, as well as potential future well stimulation activities associated with non-conventional oil and gas resources.

The EIR will present an analysis of the potential environmental impacts of the Proposed Project, including direct, indirect and cumulative effects, to the extent that those effects are capable of being feasibly and accurately analyzed on a statewide level. The EIR will identify alternatives to the Proposed Project and provide a comparative analysis of their potential impacts. The EIR will identify mitigation measures to reduce potentially adverse and significant impacts to the maximum extent feasible.

The State is 163,707 square miles in size and comprised of 58 counties. Due its geographic extent, and the diversity of environmental and anthropogenic attributes associated with it, the EIR will evaluate the potential impacts of the Proposed Project according to DOGGR's six administrative Districts. Figure 1 (attached hereto) provides a map of the EIR's contemplated six Study Regions.

The EIR will address all of the environmental issue areas required by CEQA. These issue areas will include, but may not be limited to:

- | | |
|--------------------------------------|---------------------------------|
| • Aesthetics | • Land Use and Planning |
| • Agriculture and Forestry Resources | • Mineral Resources |
| • Air Quality | • Noise and Vibration |
| • Biological Resources | • Population and Housing |
| • Cultural Resources | • Public Services |
| • Geology and Soils | • Recreation |
| • Greenhouse Gas Emissions | • Transportation and Traffic |
| • Hazards and Hazardous Materials | • Utilities and Service Systems |
| • Hydrology and Water Quality | |

Scoping Process and Scoping Meetings

The scoping process under CEQA will assist DOGGR in determining the scope, focus and content of the EIR. Scoping helps to identify the range of actions, alternatives, environmental effects, and mitigation measures to be analyzed in depth. Scoping is also an effective way to bring together and address the concerns of the public, affected agencies, stakeholders, and other interested parties.

Scoping, however, is not conducted to resolve differences concerning the merits or wisdom of the Proposed Project or to anticipate the outcome of the decision making-process. Rather, the purpose of scoping is to help ensure that a comprehensive EIR is prepared. Members of the public, affected federal, State, and local agencies, stakeholders, interest groups, and any other interested parties may participate in the scoping process. Comments can be given verbally by attending the scheduled scoping meetings outlined below.

<u>Location</u>	<u>Date and Time</u>
Oakland, CA Location: TBA*	Dec. 10, 2013; 4:00 to 8:00 pm
Long Beach, CA Location: TBA*	Jan. 8, 2014; 4:00 to 8:00 pm
Bakersfield, CA Kern County Library- Beale Memorial Auditorium 701 Truxtun Ave. Bakersfield, CA 93301	Dec. 12, 2013; 4:00 to 8:00 pm
Ventura, CA Location: TBA*	Jan. 9, 2014; 4:00 to 8:00 pm
Sacramento, CA Tsakopoulos Library Galleria-Main Floor 828 I St. Sacramento, CA 95814	Dec. 11, 2013; 4:00 to 8:00 pm

Attendees requiring language interpretation services or other special services at the scoping meetings are requested to call (916) 322-1348 by no later than **five (5) calendar days prior to any scoping meeting they plan to attend**. All meeting locations will be wheelchair accessible.

***[Confirmation of the final location of any scoping meeting, and any adjustment to the date and time of any scoping meeting, will be noticed in an amended Notice of Preparation.]**

Sources of Additional Information

Further information on the Proposed Project, and the Division of Oil, Gas and Geothermal Resources in general, is available at:

<http://www.conservation.ca.gov/dog/Pages/Index.aspx>

In addition, all future Project-related documents will be made available for review at the following locations:

DOGGR District 1

5816 Corporate Ave., Suite 200
Cypress, CA 90630-4731

DOGGR District 2

1000 S. Hill Rd, Suite 116
Ventura, CA 93003-4458

DOGGR District 3

195 S. Broadway, Suite 101
Orcutt, CA 93455-4655

DOGGR District 4

4800 Stockdale Hwy., Suite 417
Bakersfield, CA 93309-0279

DOGGR District 5

466 N. Fifth Street
Coalinga, CA 93210-1793

DOGGR District 6

801 K Street, MS 18-00
Sacramento, CA 95814-3530

The Environmental Review Process

The Proposed Project includes actions permitted or overseen by DOGGR, and which may require other various authorizations and permits to allow well stimulation treatments. In order to consider issuance of these authorizations and permits, and based on the Proposed Project's potential environmental impacts, DOGGR will prepare an EIR pursuant to CEQA requirements.

The analysis of the Proposed Project and its alternatives will result in publication of a Draft EIR and a Final EIR. A comment period of a minimum of 30 days but no longer than 60 days will be allocated for review of the Draft EIR, consistent with State CEQA Guidelines Section 15105. A notice of availability of the Draft EIR will be sent to the State Clearinghouse by DOGGR. Furthermore, public notice of the availability of the Draft EIR will be provided consistent with State CEQA Guidelines Section 15087. DOGGR will consider all comments on the Draft EIR and revise the document, as necessary, before issuing a Final EIR. The Final EIR will include responses to the comments received on the Draft EIR. The Final EIR will then be filed and copies will be made available to interested parties, consistent with State CEQA Guidelines Section 15095.

Agency Comments

This NOP has been sent to State responsible and trustee agencies, interested federal agencies, stakeholders, and the State Clearinghouse. DOGGR requests and is required to seek the views of agencies regarding the scope and content of the environmental information to be included in the EIR, which reflects any agency's statutory responsibilities in connection with the Proposed Project. Responses should identify the issues to be considered in the Draft EIR, including significant environmental issues, alternatives, feasible mitigation measures, and whether the responding agency will be a responsible State or cooperating federal agency or a State trustee agency. Despite to the normal time limits mandated by State law for commenting on a NOP, agency comments must be received no later than January 16, 2014.

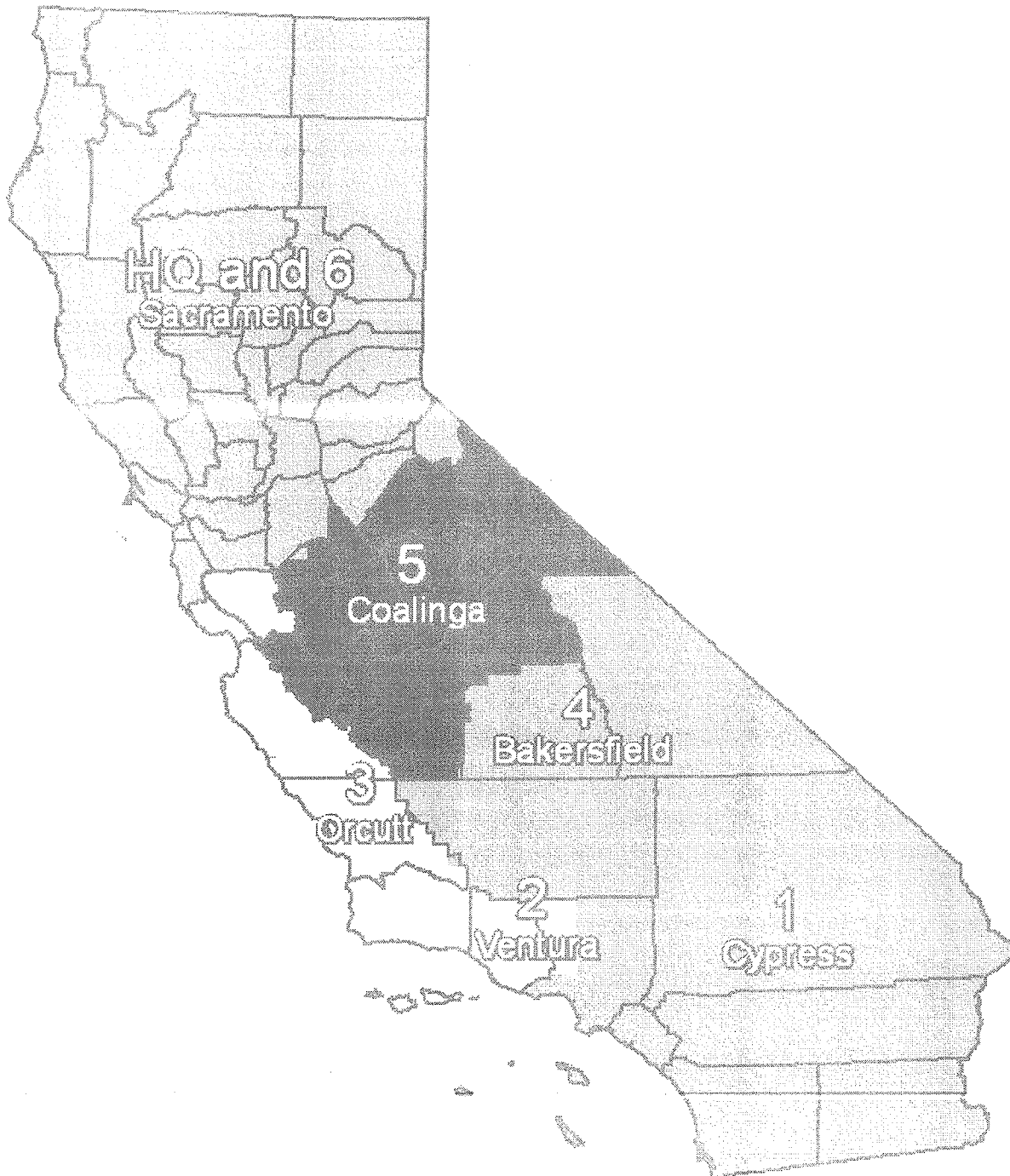
Public Comments

DOGGR requests the views of stakeholders and interested members of the public regarding the scope and content of the environmental information to be included in the EIR. Comments should identify the issues to be considered in the Draft EIR, including significant environmental issues, alternatives, and feasible mitigation measures. Despite to the normal time limits mandated by State law for commenting on a NOP, public comments must be received no later than January 16, 2014.

Questions Regarding the Submission of Comments

In the event any responsible or trustee agency, or any interested federal agency, or any stakeholder(s), has any questions regarding the process for the submission of comments on this NOP, please call (916)322-1348 to ask questions. Verbal comments regarding this NOP, the scope of the EIR, or the Proposed Project, will not be received via this telephone number.

Figure 1
**Division of Oil, Gas and
Geothermal Resources
Districts**



LIST OF RECIPIENTS OF NOTICE OF PREPARATION

Via U.S. Regular Mail:

Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236

California Dept. Fish Wildlife
1416 9th Street, 12th Floor
Sacramento, CA 95814

Exposition Park
700 Exposition Park Drive
Los Angeles, CA 90037

California Air Resources Board
P.O. Box 2815
Sacramento, CA 95812

Dept. of Toxic Substances Control
P.O. Box 806
Sacramento, CA 95812-0806

Office of Env. Health Hazard Assessment
Post Office Box 4010
Sacramento, CA 95812-4010

State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Bureau of Land Management
California State Office
2800 Cottage Way, Suite W-1623
Sacramento, CA 95825

Department of Resources Recycling and Recovery
P.O. Box 4025
Sacramento, CA 95812-4025

All 58 of California's counties

Via E-mail:

[Dept. of Conservation compiled ListServe identifying interested parties receiving this Notice is available upon request.]

Attachment E

RESOLUTION NO. 80

RESOLUTION REGARDING THE CONTROL AND LOCATION
OF OIL AND GAS FACILITIES IN AND ABOUT THE CITY
OF CARPINTERIA

WHEREAS, located immediately adjacent to the City of Carpinteria is a large oil processing facility and oil storage tank farm; and

WHEREAS, located immediately adjacent to and within the City of Carpinteria are certain large and extensive tide and submerged oil and gas leases of the State of California and the United States for which the oil industry anticipates a need for expansion of onshore oil and gas handling facilities; and

WHEREAS, the living conditions in and around the City of Carpinteria are extremely pleasant, extensive growth and development is anticipated, and many new inhabitants will reside within the area in the not too distant future; and

WHEREAS, the further development of beaches and shoreline parks in and adjacent to the City of Carpinteria is deemed to be highly desirable and of paramount importance to the City; and

WHEREAS, the City of Carpinteria recognizes its responsibility to protect and preserve its recreational and scenic resources as well as its residential environment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carpinteria:

1. That the City of Carpinteria does not, per se, oppose oil and gas development and production.
2. That the City of Carpinteria is strongly opposed to the helter-skelter placing and the placing of oil and gas facilities so as to destroy and disrupt sound community planning and development.
3. That the City of Carpinteria is unalterably opposed to the development of the City and its surroundings primarily as an oil and gas town or for the primary benefit of the oil companies.
4. That the City of Carpinteria is in favor of consolidating oil facilities in existing physical equipment or concealing them in ways that will not destroy or disrupt uses of surrounding areas which are beneficial to our citizens.
5. That the County Planning Commission and County Board of Supervisors, subject to the above, be urged to prevent the placing of oil and gas facilities in such a manner of fashion that would destroy the aesthetic surroundings of the City of Carpinteria.
6. That the County Planning Commission and County Board of Supervisors be urged to consider that the economic foundation and future of the City of Carpinteria and its surroundings lies with a beach-oriented tourism, light industry and manufacturing and agriculture.
7. That no new oil and gas processing facility be permitted until a need has been demonstrated and a positive showing that such will not destroy or disrupt the character of the community and its property values, and then only when subject to definite and certain provisions of mandatory zoning regulations, removing insofar as possible the discretionary provisions contained in conditional use permits.

8. That the County Board of Supervisors be urged to join with the City Council of Carpinteria in obtaining expert, impartial, technical advice from persons not beholden nor dependent upon the local oil and gas companies and who would be able to give sound and effective technical advice.

9. That until said expert, impartial, technical advice is adequately provided, that no new onshore oil and gas facilities should be permitted.

10. That copies of this Resolution be transmitted to the Board of Supervisors and Planning Commission of Santa Barbara County.

PASSED, APPROVED AND ADOPTED THIS 10th day of April, 1967.

Allan R. Coates
Mayor of the City of Carpinteria

ATTEST:

Walter M. Benson, Deputy
City Clerk of the City of Carpinteria

STATE OF CALIFORNIA)
)
COUNTY OF SANTA BARBARA) ss.

I, Jerry C. Riley, City Clerk of the City
of Carpinteria, California do hereby certify that the
foregoing Resolution No. 80 was duly and regularly
introduced and adopted by the City Council at a
meeting held April 10, 1967 by the following vote:

Ayes:	Allan R. Coates, Jr.
	James E. Gray
	Margaret M. Mills
	Robert "Olly" Olivas
	Ernest C. Wullbrandt

Noes:	None
-------	------

Absent:	None
---------	------

Elizabeth M. Jensen, Secretary
Clerk of the City of Carpinteria

(SEAL)

Attachment F

County Of Santa Barbara

Mona Miyasato
County Executive Officer



105 East Anapamu Street, Suite 406
Santa Barbara, California 93101
805-568-3400 • Fax 805-568-3414
www.countyofsb.org

Executive Office

January 16, 2014

Ms. Adele Lagomarsino
California Department of Conservation
Division of Oil, Gas and Geothermal Resource
801 K Street, MS 18-00
Sacramento, CA 95814-353

E-mail: SB4EIR@conservation.ca.gov

Re: Notice of Preparation (NOP) from Department of Conservation: Division of Oil, Gas, & Geothermal Resources (DOGGR) - Environmental Impact Report (EIR) to Proposed Regulations for Well Stimulation

Dear Ms. Lagomarsino:

Thank you for the opportunity to comment on Environmental Impact Report (EIR) for the proposed regulations for well stimulation. At this time, the County has the following comments:

- 1. Project Description.** The cornerstone of an accurate, defensible EIR is a complete, thorough and well-defined project description. The Notice of Preparation (NOP) does not clearly identify the project description or the project boundary, and there is ambiguity as to the relationship of the EIR process and the concurrent rule-making process. The EIR scope of review appears to be implementation of the proposed SB 4 regulations that result from the concurrent regulation adoption process. However, there is no clear explanation in the scoping document describing when the environmental review and regulation adoption processes will merge. A stable project description is necessary to adequately evaluate the potential impacts of the proposed regulations, identify appropriate mitigation measures, and possible alternatives.
- 2.** On Page 3 of the NOP, the Proposed Scope of the EIR, the first paragraph states that the EIR "will address impacts resulting from existing well stimulation activities associated with conventional oil and gas reservoirs, as well as the potential future well stimulation activities associated with non-conventional oil and gas resources." As written, the scope of review does not appear to include any analysis of future conventional production methodologies, only non-conventional methods. In addition, chemicals and techniques used for well stimulation activities to date, as well as those to be allowed under the proposed project, should be identified and disclosed.

Renée E. Bahl
Assistant County Executive Officer
rbahl@co.santa-barbara.ca.us

Terri Maus-Nisich
Assistant County Executive Officer
tmaus@countyofsb.org

Dennis Bozanich
Assistant to the County Executive Officer
dbozanich@co.santa-barbara.ca.us

- 3. Proposed Scope of the EIR.** Our initial recommendations for analyzing the Proposed Regulations follow.

In Section 1761 (a) (1), the text states that treatments that do not go more than 36 inches from the wellbore into the target formation are not considered well stimulation, but instead will be considered routine maintenance. Neither the proposed Regulations nor the SB 4 Initial Statement of Reasons describes how the 36 inch distance will be monitored and confirmed. Also, the various well stimulation techniques under review use a variety of chemical constituents, of different viscosities and would be injected under different pressures, and into formations of varying geologic make-up. Please ensure that the EIR evaluates the efficacy of the proposed 36 inch distance, considering all of the above-described variables.

In Section 1780 (a), the text identifies that acid matrix stimulation treatments in concentrations less than 7% are exempted from the regulations. In the SB 4 Initial Statement of Reasons, the explanation for the exemption is that the Division has determined such practices are of low risk and do not pose a threat to the integrity of a well. The County agrees with DOGGR that this needs to be evaluated in the EIR, as there are many factors that may influence the potential risks of acid matrix stimulation. Also, in Section 1780 (b), the regulations exclude subsurface injection and disposal wells from the regulations, when in fact the very chemicals regulated under the proposed regulations are entrained in the waste fluid, and perhaps at higher concentrations than the working fluid. The reinjection of contaminated production fluid should be addressed fully in the EIR.

In Section 1782, (a) (1-7) and (b), many of the statutory requirements are open to interpretation and would benefit by including performance standards against which to measure compliance. For example, Section 1782 (a) (1) states that a (well) “casing needs to be sufficiently cemented or otherwise anchored in the hole to effectively control the well at all times” (emphasis added). Another example is found in (a) (7) which states that the “well stimulation treatment fluid is not of a concentration level that will damage the well casing...” Please address these issues in the EIR.

In Section 1783.2 (a), notification radii are defined based upon wellhead and subsurface projections. Please ensure that the EIR describes the technical basis for the 1,500 and 500 foot well radii that trigger water testing.

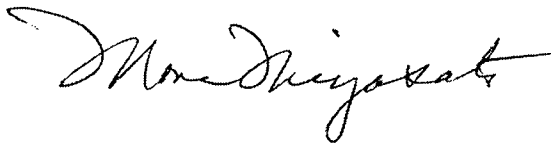
Finally, the EIR should consider and analyze impacts on the marine environment and other areas outside of DOGGR’s jurisdiction.

- 4. Project Objectives.** In addition to identification of potential impacts, the Objectives of the Proposed Project should include that mitigation measures will be identified and evaluated which would reduce or even eliminate those impacts. This is identified on Pages 3 (Proposed Scope of the EIR) and 5 (Agency Comments) of the NOP, but should be included as recommended.
- 5. Project Baseline.** The EIR should include an accurate and comprehensive baseline description of existing conditions and allowable well-stimulation activities that are currently permitted by DOGGR. The Baseline setting description should include an accurate accounting of the active, idled and abandoned wells within the six DOGGR Districts, whether those wells are in state-designated fields or not, and which wells are actively using or have used well stimulation, and what methods have been employed. A description of any adverse effects resulting from previous well stimulation should be disclosed, if available.

6. **Project Alternatives.** The EIR should contain a reasonable range of project alternatives that meet most of the basic objectives of the project, including a "no project" alternative. Because the proposed project is the adoption of well stimulation regulations, the no project alternative must clearly describe DOGGR's current interim regulations and any data collected on the efficacy of the interim regulations. That information will be invaluable in helping analyze the impacts of the proposed regulations, as well as defining other alternatives to the proposed regulations.
7. **Legislative Process and Findings.** The EIR should include a discussion of the legislative process for adoption of the regulations, including who will be the decision-maker for the project and what findings must be made in order to certify the EIR.

The County looks forward to continued dialogue on this project. If you should have further questions, please do not hesitate to contact my office directly or Glenn Russell, Director, Planning and Development Department, at 805-568-2085.

Sincerely,

A handwritten signature in black ink, appearing to read "Mona Miyasato". The signature is fluid and cursive, with the first name "Mona" being more prominent and the last name "Miyasato" following in a similar style.

Mona Miyasato
County Executive Officer

Cc: Glenn Russell, Director, Planning and Development



County of Santa Barbara Planning and Development

Glenn S. Russell, Ph.D., Director

Dianne Black, Assistant Director

January 14, 2014

Ms. Adele Lagomarsino
California Department of Conservation
Division of Oil, Gas and Geothermal Resource
801 K Street, MS 18-00
Sacramento, CA 95814-353

Email: DOGGRRegulations@conservation.ca.gov

RE: Proposed Regulations for Well Stimulation

Dear Ms. Lagomarsino:

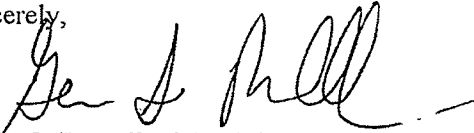
Thank you for the opportunity to provide comments on the Department of Conservation: Division of Oil, Gas, & Geothermal Resources (DOGGR) Proposed Regulations for Well Stimulation. At this time, the Planning and Development Department submits the following comments:

1. Overall, the proposed regulations are consistent with the intent of SB 4, and set forth a clear path for operators wishing to employ well stimulation activities in their operations. The County understands that these draft regulations are the subject of a concurrent EIR under preparation by DOGGR which will fully evaluate the potential impacts of implementing the proposed regulations, will identify alternatives, and will identify mitigation measures to reduce impacts to the extent feasible. As the County stated in our comment letter to DOGGR in response to the EIR Notice of Preparation, a stable project description is necessary to adequately evaluate the potential impacts of the proposed regulations, identify appropriate mitigation measures, and possible alternatives. As such, a stable version of the proposed regulations should be included in the EIR. The County provides our initial comments below, and looks forward to participating in the ongoing EIR process.
2. In Section 1781 (k), the definition of protected water sets a dissolved solids concentration at 10,000 mg/l. Instead, the County suggests that the definition should link to the Regional Water Quality Control Board's definition of potable water, which may change over time change.

3. Section 1783 does not include notification requirements for local permitting jurisdictions involving well stimulation. The County believes that sharing well stimulation information will enhance the productive relationship that exists between DOGGR and the County. This will ensure that County review covers the same project components as those reviewed by DOGGR.
4. In Sections 1784 through 1787, the Division sets forth procedures that clearly define operator and Division responsibilities, from initial well evaluation, well stimulation and production, hazardous materials storage and handling (including dealing with release), through post-well stimulation reporting. The citation of relevant Public Resources Code sections that are applicable and integral to the success of the proposed regulations is helpful.

If you should have any questions, please do not hesitate to contact my office directly at (805) 568-2085.

Sincerely,

A handwritten signature in black ink, appearing to read "Glenn S. Russell", followed by a horizontal line.

Glenn S. Russell, Ph.D., Director
Planning and Development Department

Attachment G

Looking Forward on Hydraulic Fracturing In California

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by Catherine Reheis-Boyd

Senator Fran Pavley's SB 4, passed in the final days of California's 2013 legislative session, dramatically increases regulatory oversight of hydraulic fracturing in California. It passed out of the Assembly and Senate on September 11 after Governor Brown indicated through a spokesperson's email late in the evening that he would sign the bill, calling the legislation "an important step."

Now comes the hard work of trying to understand all of the ramifications of this sweeping legislation. But one thing is crystal clear – California now has the most stringent and farthest reaching regulations of hydraulic fracturing and other oil and natural gas production technologies anywhere in the country and probably the world.

For oil and natural gas producers, there is a lot not to like in SB 4. Energy production in California, already heavily regulated, will require more permits, more monitoring, more water testing, more disclosure and more notification of activities.

But SB 4 is a framework for a future that includes prudent and thoroughly regulated development of California's energy resources. And that is a future that continues to utilize technologies like hydraulic fracturing and acid stimulation that have proved to be safe and effective at bringing resources like the Monterey Shale to market.

Much remains to be worked out as SB 4 moves from legislation to regulation. WSPA will remain fully engaged and supportive of those efforts to ensure the new law is applied in a balanced way that protects communities and fosters economic vitality.

The resources located below the San Joaquin Valley represent significant economic recovery opportunity for the entire state of California and a region plagued by alarmingly high unemployment. We can now get down to the job of developing resources that, in addition to providing abundant, reliable and affordable energy for consumers, has the potential to:

- Create 512,000 to 2.8 million new jobs
- Increase personal income by \$40.6 billion to \$222.3 billion
- Generate additional local and state government revenues from \$4.5 billion to \$24.6 billion
- Increase state GDP by 2.6% to 14.3% on a per-person basis

There is no longer a place in California for the emotion-fueled demands for a moratorium of hydraulic fracturing. Continued demands for moratoria and other extreme measures have no audience in the Capitol.

Attachment H

Hydraulic Fracturing in Federal Waters

- 23 offshore platforms
- 12 confirmed instances of fracking
- 4 approved but pending plans to frack
- Confirmed use of acid stimulation

