

City of Carpinteria
City Council Regular Meeting Agenda
Monday, March 23, 2015
Council Chamber, 5775 Carpinteria Avenue

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:**

5:30 p.m. **CALL TO ORDER**

5:30 p.m. **ROLL CALL**

5:31 p.m. **PLEDGE OF ALLEGIANCE**

5:32 p.m. **INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS**

1. Proclamation designating April 2015 as Carpinteria Beautiful Month.

5:37 p.m. **PUBLIC INFORMATION REPORTS AND ANNOUNCEMENTS**

5:38 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.

5:40 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.

5:55 p.m. **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.

5:55 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.

2. Expenditures for the period beginning February 26, 2015 and ending March 11, 2015.
3. Minutes of the regular meeting held March 9, 2015.
4. Resolution No. 5599 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, Chapter 8.5, 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 Street Lighting Assessment District No. 1 for the Period Beginning July 1, 2015 and ending June 30, 2016.
5. Resolution No. 5602 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 Carpinteria Lighting, Landscaping and Right-of-Way Improvement District No. 3 for the Fiscal Year 2015-16.
6. Resolution No. 5593 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, 2015 and Ending June 30,

2016, Carpinteria Parking and Business Improvement Area District No. 4.

7. Resolution No. 5601 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, for Fiscal Year 2015-16.
8. Resolution No. 5591 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 2015-16.

ADMINISTRATIVE MATTERS: None.

PUBLIC HEARINGS: None.

OTHER BUSINESS:

5:57 p.m.

9. Permit Processing Fee Waiver for Off-Leash Dog Park

Recommendation: Grant the permit processing fee waiver request in an amount not to exceed \$4,000.

Staff presenter: Jackie Campbell, Community Development Director

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

6:15 p.m.

10. 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 of the City's home sales prices for 2014 and set the affordable housing in-lieu fee for condominiums and single family dwellings in 2015.

Staff presenter: Jackie Campbell, Community Development Director

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

- 6:35 p.m. 11. Review of the 2014 Annual Report to the State Department of Housing and Community Development on the Status of the Housing Element and Progress on Implementation of Its Goals, Policies and Objectives

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

Staff presenter: Staff presenter: Jackie Campbell, Community Development Director

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

- 6:55 p.m. 12 Report on Railroad Transportation of Crude Oil and Other Hazardous Materials and Consider Sending a Letter to the U.S. Department of Transportation to Advocate for Safety Improvements

Recommendation: Receive report and approve and authorize the Mayor to sign, on behalf of the City Council, the letter to the U. S Department of Transportation.

Staff presenter: Dave Durlinger, City Manager and Julie Jeakle, Emergency Services Coordinator

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

7:30 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 County 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) (Clark)
- 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)
- g. 50th Anniversary Committee (Carty & Nomura)

3. Ad Hoc Committees

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

7:31 p.m. **ATTENDANCE OF COUNCILMEMBERS FOR FUTURE MEETINGS**

7:32 p.m. **ADJOURNMENT**

The next regular meeting to be held on **Monday, April 13, 2015** 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 of two business days prior to the meeting will enable the City to make reasonable arrangements for accessibility to this meeting.

This agenda was posted on Wednesday, March 18, 2015, 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, 2015, 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, indicated 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 Saturday, April 11th; for residents to dispose of unwanted household items; and

WHEREAS, on Sunday, April 19th, in recognition of Earth Day, Carpinterians will be invited to participate in a Water Security Symposium to learn how each of us can help protect our precious local water resources; and

WHEREAS, Wednesday, April 22nd, is the 45th Earth Day celebration, providing 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 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 community's youth; and

WHEREAS, the annual Carpinteria Beautiful Home & Garden tour, this year to take place on Saturday, April 25th, will showcase the beauty, diversity and pride found in our residential neighborhoods.

NOW, THEREFORE, I, Gregg Carty, Mayor, on behalf of the Carpinteria City Council, do hereby proclaim the month of April, 2015, 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 23rd day of March, 2015.

Gregg A. Carty, Mayor
City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria



City of Carpinteria

COUNCIL AGENDA STAFF REPORT March 23, 2015

ITEM FOR COUNCIL CONSIDERATION

Expenditures for the period beginning February 26, 2015 and ending March 11, 2015.

STAFF RECOMMENDATION

Action Item ____ ; Non-Action Item X

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

DISCUSSION

As part of each regular City Council agenda, a list of all checks (attached) dispersed since the last reporting period is presented to the City Council pursuant to C.M.C. 2.08.150(F). The report is provided for City Council and public information and serves as Staff's verification that the expenditures have been reviewed and are within budgeted appropriations.

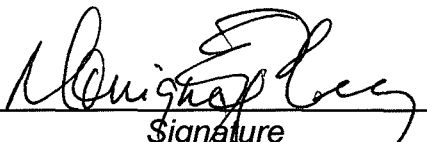
FINANCIAL CONSIDERATIONS

The warrant register included as an attachment is designed to communicate fiscal activity since the prior reporting period. No action is requested as part of this report.

ATTACHMENTS

Attachment A: Warrant Register for the period beginning February 26, 2015 and ending March 11, 2015.

Staff contact: Monique Epley, Finance Supervisor
(805) 684-5405 ext. 406
moniquee@ci.carpinteria.ca.us


Signature

Reviewed by: John Thornberry, Admin. Services Director


Signature

Reviewed by: Dave Durflinger, City Manager


Signature

1:24 PM
03/11/15

CITY OF CARPINTERIA
Warrant Register
February 26 through March 11, 2015

Num	Date	Name	Source Name	Memo	Account	Paid Amount
TOTAL	02/27/15	QuickBooks Payroll Service	QuickBooks Payrol...	Created by Payroll Service on 03/02/2015	1000101 · Operating Cash 10	
			QuickBooks Payroll ...	Enrollment Fee	66000 · Payroll Expenses	(0.37)
						(0.37)
TOTAL	02/27/15	QuickBooks Payroll Service	QuickBooks Payrol...	Created by Payroll Service on 03/02/2015	1000101 · Operating Cash 10	
			QuickBooks Payroll ...	Enrollment Fee	66000 · Payroll Expenses	(0.95)
						(0.95)
TOTAL	03/04/15	GARCIA, FIDELA	GARCIA, FIDELA	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
	03/01/15		GARCIA, FIDELA	CELL PHONE REIMBURSEMENT	1011308 · Supplies & Materials 11	(65.00)
						(65.00)
TOTAL	03/04/15	QuickBooks Payroll Service	QuickBooks Payrol...	Created by Direct Deposit Service on 03/03/15	1000101 · Operating Cash 10	
			QuickBooks Payroll ...	Fee for 4 direct deposit(s) at \$1.6 each	66000 · Payroll Expenses	(6.40)
						(6.40)
TOTAL	03/05/15	THORNBERRY, JOHN	THORNBERRY, JO...	CELL PHONE REIMBURSEMENT - JAN 2014	1000101 · Operating Cash 10	
	03/01/15		THORNBERRY, JO...	CEL PHONE REIMBURSEMENT JAN 2014	1014308 · Supplies & Materials 14	(65.00)
						(65.00)
TOTAL	85227	03/04/15	A T & T MOBILITY	ACCOUNT 337015224648	1000101 · Operating Cash 10	
	3370152246...	02/23/15	A T & T MOBILITY	PW SUPERVISOR	2531301 · Telephone 31	(56.01)
			A T & T MOBILITY	PW CREW	1013308 · Supplies & Materials 13	(43.51)
			A T & T MOBILITY	PW CREW	3332308 · Supplies & Materials 32	(97.77)
			A T & T MOBILITY	PW CREW	2531308 · Supplies & Materials 31	(17.77)
						(215.06)
TOTAL	85228	03/04/15	AERIOCONNECT	755774	1000101 · Operating Cash 10	
	755774	03/02/15	AERIOCONNECT	DSL MONTHLY SERVICE CHARGE - APRIL 2015	1018222 · Equipment Maintenance	(66.06)
						(66.06)
TOTAL	85229	03/04/15	ATT	ACCOUNT 030-149-5366-001	1000101 · Operating Cash 10	
	0301495366...	02/19/15	ATT	CIVIC CENTER	1013301 · Telephone 13	(882.59)
			ATT	PW	2531301 · Telephone 31	(39.35)
			ATT	BEACH	2862301 · Telephone 62	(143.35)
			ATT	POOL	4866301 · Telephone 66	(157.41)
						(1,222.70)

1:24 PM

03/11/15

CITY OF CARPINTERIA
Warrant Register
February 26 through March 11, 2015

Num	Date	Name	Source Name	Memo	Account	Paid Amount
85230	03/04/15	CALIFORNIA STATE DISBURSEMENT UNIT	CALIFORNIA STAT...	CASE NUMBER 0850182383-01	1000101 · Operating Cash 10	
PAYROLL 0...	03/03/15		CALIFORNIA STAT...	PAYROLL WITHHOLDING 03-05-15	1000105 · ICMA Cash	(330.46)
TOTAL						(330.46)
85231	03/04/15	COASTAL VIEW NEWS	COASTAL VIEW N...	45124	1000101 · Operating Cash 10	
45124	02/26/15		COASTAL VIEW NE...	PET AD	1047303 · Printing & Advertising 47	(80.00)
TOTAL						(80.00)
85232	03/04/15	COLSON, MARY ANN	COLSON, MARY A...	WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
	03/01/15		COLSON, MARY ANN	WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(395.87)
TOTAL						(395.87)
85233	03/04/15	DIAZ, JAYNE	DIAZ, JAYNE	WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
	03/01/15		DIAZ, JAYNE	WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(395.87)
TOTAL						(395.87)
85234	03/04/15	DRAKE HAGLAN & ASSOCIATES, INC.	DRAKE HAGLAN &...	INVOICE #12034-27	1000101 · Operating Cash 10	
12034-27	02/07/15	15016	DRAKE HAGLAN & ...	HBR GRANT	2000261 · Deferred Revenue 20	(13,723.89)
		15016	DRAKE HAGLAN & ...	HBR GRANT	2079614 · FHWA HBR 20	(13,723.89)
		15016	DRAKE HAGLAN & ...	DIF PROGRAM HIGHWAY BRIDGES & INTERC...	3100232 · DIF Highway Interchange	(1,778.08)
		15016	DRAKE HAGLAN & ...	DIF PROGRAM HIGHWAY BRIDGES & INTERC...	3179616 · FHWA HBR 31	(1,778.08)
TOTAL						(31,003.94)
85235	03/04/15	DRIGGERS, LARRY	DRIGGERS, LARRY	WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
	03/01/15		DRIGGERS, LARRY	WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(395.87)
TOTAL						(395.87)
85236	03/04/15	DURFLINGER, DAVID	DURFLINGER, DAV...	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
	03/01/15		DURFLINGER, DAV...	CELL PHONE REIMBURSEMENT	1012308 · Supplies & Materials 12	(65.00)
TOTAL						(65.00)
85237	03/04/15	EBELING, CHARLES	EBELING, CHARLES	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
	03/01/15		EBELING, CHARLES	CELL PHONE REIMBURSEMENT	1030308 · Supplies & Materials 30	(65.00)
TOTAL						(65.00)
85238	03/04/15	EDD-SDI	EDD-SDI	776-5147-9	1000101 · Operating Cash 10	
PAYROLL 0...	03/03/15		EDD-SDI	PAYROLL 03-05-15	1000223 · SDI Withheld 10	(878.61)

1:24 PM

03/11/15

CITY OF CARPINTERIA
Warrant Register
February 26 through March 11, 2015

Num	Date	Name	Source Name	Memo	Account	Paid Amount
TOTAL						(878.61)
85239	03/04/15	EDD-SIT	EDD-SIT	932-0283-6	1000101 · Operating Cash 10	
PAYROLL 0...	03/03/15		EDD-SIT	PAYROLL 03-05-15	1000221 · SIT Withheld 10	(3,827.36)
TOTAL						(3,827.36)
85240	03/04/15	FIRST BANKCARD	FIRST BANKCARD	1438	1000101 · Operating Cash 10	
1438	02/25/15		FIRST BANKCARD	HR MEETINGS	1016305 · Dues & Subscriptions 16	(50.00)
			FIRST BANKCARD	EMPLOYEE RELATIONS	1016310 · Employee/Public Relati...	(55.66)
			FIRST BANKCARD	HR SUPPLIES	1015308 · Supplies & Materials 15	(17.98)
			FIRST BANKCARD	HR SUPPLIES	1015308 · Supplies & Materials 15	(27.20)
			FIRST BANKCARD	HR MEETINGS	1016228 · Employee Training	(75.00)
TOTAL						(225.84)
85241	03/04/15	FRONTADO, JOHN	FRONTADO, JOHN	WELLNESS PAYMENT	1000101 · Operating Cash 10	
	03/01/15		FRONTADO, JOHN	WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(395.87)
TOTAL						(395.87)
85242	03/04/15	HARTHORN, ROY	HARTHORN, ROY	INVOICE #1206	1000101 · Operating Cash 10	
1206	02/24/15		HARTHORN, ROY	BUILDING PLAN CHECK	1010188 · BLDG PLAN CHECK C...	(1,980.25)
TOTAL						(1,980.25)
85243	03/04/15	HIDALGO, BENNY	HIDALGO, BENNY	WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
	03/01/15		HIDALGO, BENNY	WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(395.87)
TOTAL						(395.87)
85244	03/04/15	HUGO'S AUTO DETAIL	HUGO'S AUTO DE...	FEB 2015 BILLING	1000101 · Operating Cash 10	
FEB 2015 B...	02/28/15		HUGO'S AUTO DET...	FEB 2015 MAINTENANCE	1013307 · Vehicle Oper & Mainten...	(48.00)
TOTAL						(48.00)
85245	03/04/15	JIMENEZ, ERNEST	JIMENEZ, ERNEST	WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
	03/01/15		JIMENEZ, ERNEST	WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(395.87)
TOTAL						(395.87)
85246	03/04/15	LEAGUE OF CA CITIES	LEAGUE OF CA CI...	CHANNEL COUNTIES DIVISION - NOMURA	1000101 · Operating Cash 10	
3-20-15 NO...	03/04/15		LEAGUE OF CA CI...	CHANNEL COUNTIES DIVISION - NOMURA	1051306 · Meetings & Travel 51	(35.00)
TOTAL						(35.00)

1:24 PM

03/11/15

CITY OF CARPINTERIA
Warrant Register
February 26 through March 11, 2015

Num	Date	Name	Source Name	Memo	Account	Paid Amount
85247	03/04/15	LEMERE, PATRICIA	LEMERE, PATRICIA	WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
	03/01/15		LEMERE, PATRICIA	WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(395.87)
TOTAL						(395.87)
85248	03/04/15	LINCOLN FINANCIAL GROUP	LINCOLN FINANCI...	MARCH 2015 BILLING	1000101 · Operating Cash 10	
MAR 2015 ...	02/20/15		LINCOLN FINANCIA...	MARCH 2015	1051191 · Life Insurance Premium...	(67.75)
			LINCOLN FINANCIA...	MARCH 2015	1011191 · Life Insurance Premium...	(100.63)
			LINCOLN FINANCIA...	MARCH 2015	1012191 · Life Insurance Premium...	(122.49)
			LINCOLN FINANCIA...	MARCH 2015	1013191 · Life Insurance Premium...	(32.07)
			LINCOLN FINANCIA...	MARCH 2015	1014191 · Life Insurance Premium...	(184.06)
			LINCOLN FINANCIA...	MARCH 2015	1016191 · Life Insurance Premium...	(172.37)
			LINCOLN FINANCIA...	MARCH 2015	1030191 · Life Insurance Premium...	(283.10)
			LINCOLN FINANCIA...	MARCH 2015	2531191 · Life Insurance Premium...	(181.69)
			LINCOLN FINANCIA...	MARCH 2015	1041191 · Life Insurance Premium...	(390.29)
			LINCOLN FINANCIA...	MARCH 2015	1042191 · Life Insurance Premium...	(184.15)
			LINCOLN FINANCIA...	MARCH 2015	1069191 · Life Insurance Premium...	(184.07)
			LINCOLN FINANCIA...	MARCH 2015	1022191 · Life Insurance Premium...	(129.06)
			LINCOLN FINANCIA...	MARCH 2015	3332191 · Life Insurance Premium...	(73.64)
			LINCOLN FINANCIA...	MARCH 2015	1044191 · Life Insurance Premium...	(91.90)
			LINCOLN FINANCIA...	MARCH 2015	2361191 · Life Insurance Premium...	(58.71)
			LINCOLN FINANCIA...	MARCH 2015	4868191 · Life Insurance Premium...	(65.04)
TOTAL						(2,321.02)
85249	03/04/15	MNS ENGINEERS INC	MNS ENGINEERS I...		1000101 · Operating Cash 10	
64953	12/10/14		MNS ENGINEERS I...	SSV GRANT	2000261 · Deferred Revenue 20	(62.50)
65114	01/21/15		MNS ENGINEERS I...	SSV GRANT	2079275 · Public Work Grants	(62.50)
65160	02/05/15		MNS ENGINEERS I...	SSV GRANT	2000261 · Deferred Revenue 20	(1,987.50)
			MNS ENGINEERS I...	SSV GRANT	2079275 · Public Work Grants	(1,987.50)
			MNS ENGINEERS I...	SSV GRANT	2000261 · Deferred Revenue 20	(2,807.50)
			MNS ENGINEERS I...	SSV GRANT	2079275 · Public Work Grants	(2,807.50)
TOTAL						(9,715.00)
85250	03/04/15	ROBERTS, MATTHEW	ROBERTS, MATTH...	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
	03/01/15		ROBERTS, MATTH...	CELL PHONE REIMBURSEMENT	1069308 · Supplies & Materials 69	(65.00)
TOTAL						(65.00)
85251	03/04/15	ROCKWELL PRINTING	ROCKWELL PRINT...	INVOICE #25879	1000101 · Operating Cash 10	
25879	02/23/15		ROCKWELL PRINTI...	CDD SUPPLIES	1013308 · Supplies & Materials 13	(50.54)
TOTAL						(50.54)
85252	03/04/15	SEUI LOCAL 620	SEUI LOCAL 620	PAYROLL 03-05-15	1000101 · Operating Cash 10	
PAYROLL 0...	03/03/15		SEUI LOCAL 620	PAYROLL 03-05-15	1000229 · SEIU Local 620	(172.31)
TOTAL						(172.31)

1:24 PM

03/11/15

CITY OF CARPINTERIA
Warrant Register
February 26 through March 11, 2015

Num	Date	Name	Source Name	Memo	Account	Paid Amount
85253	03/04/15	SILK, KEVIN	SILK, KEVIN	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
	03/01/15		SILK, KEVIN	CELL PHONE REIMBURSEMENT	1044308 · Supplies & Materials 44	(35.00)
TOTAL						(35.00)
85254	03/04/15	STAPLES ADVANTAGE	STAPLES ADVANT...		1000101 · Operating Cash 10	
3256559976	02/06/15		STAPLES ADVANT...	PW SUPPLIES	1030308 · Supplies & Materials 30	(79.59)
3256744181	02/07/15		STAPLES ADVANT...	POOL OFFICE SUPPLIES	4866308 · Supplies & Materials 66	(38.11)
TOTAL						(117.70)
85255	03/04/15	T. ROWE PRICE	T. ROWE PRICE	PAYROLL CONTRIBUTION - ANTHONY VEGA	1000101 · Operating Cash 10	
PAYROLL 0...	03/03/15		T. ROWE PRICE	PAYROLL 03-05-15 - ANTHONY VEGA	1000105 · ICMA Cash	(50.00)
TOTAL						(50.00)
85256	03/04/15	TVSB	TVSB	2015 PUBLIC ACCESS FUNDING	1000101 · Operating Cash 10	
14-169	01/06/15		TVSB	PROJ 4862 - GATV	1000251 · Development Deposits	(15,000.00)
TOTAL						(15,000.00)
85257	03/04/15	UNITED STATES TREASURY	UNITED STATES T...	95-2414438 2014 FORM 720-V	1000101 · Operating Cash 10	
	03/01/15		UNITED STATES T...	FORM 720-V	1016312 · Flexible Benefits Admin	(35.00)
TOTAL						(35.00)
85258	03/04/15	UNITED WAY OF SANTA BARBARA COUN...	UNITED WAY OF S...	PAYROLL 03-05-15	1000101 · Operating Cash 10	
PAYROLL 0...	03/03/15		UNITED WAY OF S...	PAYROLL 03-05-15	1000224 · United Way Payable	(20.00)
TOTAL						(20.00)
85259	03/04/15	VANTAGEPOINT TRANSFER AGENTS - 457	VANTAGEPOINT T...	PAYROLL 03-05-15	1000101 · Operating Cash 10	
PAYROLL 0...	03/03/15		VANTAGEPOINT T...	PAYROLL CONTRIBUTION 03-05-15	1000105 · ICMA Cash	(950.00)
TOTAL						(950.00)
85260	03/04/15	BALMADRID, ARLENE	BALMADRID, ARL...	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
	03/01/15		BALMADRID, ARL...	CELL PHONE REIMBURSEMENT	1016308 · Supplies & Materials 16	(65.00)
TOTAL						(65.00)
85261	03/04/15	CAMPBELL, JACQUELINE	CAMPBELL, JACQ...	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
	03/01/15		CAMPBELL, JACQ...	CELL PHONE REIMBURSEMENT	1041308 · Supplies & Materials 41	(65.00)
TOTAL						(65.00)

1:24 PM

03/11/15

CITY OF CARPINTERIA
Warrant Register
February 26 through March 11, 2015

Num	Date	Name	Source Name	Memo	Account	Paid Amount
85263	03/04/15	JOY EQUIPMENT PROTECTION INC	JOY EQUIPMENT P...	INVOICE #61721	1000101 · Operating Cash 10	
61721	02/10/15		JOY EQUIPMENT P...	FIRE EXTINGUISHERS	4865309 · Misc Operating Expens...	(125.00)
TOTAL						(125.00)
85264	03/04/15	SO CA EDISON	SO CA EDISON		1000101 · Operating Cash 10	
2-00-378-20...	02/25/15		SO CA EDISON	CIVIC CENTER	1013313 · Utility - Electric 13	(1,608.35)
			SO CA EDISON	ROW	3332313 · Utility - Electric 32	(50.87)
			SO CA EDISON	PARKING	3332313 · Utility - Electric 32	(200.61)
			SO CA EDISON	PARKS	2361313 · Utility - Electric 23	(382.60)
			SO CA EDISON	POOL	4866313 · Utility - Electric 66	(1,340.94)
			SO CA EDISON	STREET LIGHTING	2923220 · Street Lighting	(601.57)
2-19-146-82...	02/27/15		SO CA EDISON	BIKEWAYS	2923225 · Public Right of Way Lig...	(69.66)
2-17-070-74...	02/27/15		SO CA EDISON	STREET LIGHTING	2923220 · Street Lighting	(39.35)
			SO CA EDISON	STREET LIGHTING	2923220 · Street Lighting	(58.05)
TOTAL						(4,352.00)
85265	03/04/15	STAPLES ADVANTAGE	STAPLES ADVANT...		1000101 · Operating Cash 10	
3256978411	02/11/15		STAPLES ADVANT...	POOL OFFICE SUPPLIES	4866308 · Supplies & Materials 66	(135.99)
3256978447	02/11/15		STAPLES ADVANT...	POOL OFFICE SUPPLIES	4866308 · Supplies & Materials 66	(77.74)
TOTAL						(213.73)
85266	03/04/15	VENCO POWER SWEEPING INC	VENCO POWER S...	INVOICE 0045191-IN	1000101 · Operating Cash 10	
	02/15/15		VENCO POWER S...	STREET SWEEPING SERVICE	2531227 · Street Sweeping	(3,318.60)
TOTAL						(3,318.60)
85267	03/04/15	VERIZON CALIFORNIA	VERIZON CALIFOR...		1000101 · Operating Cash 10	
0117111285...	02/22/15		VERIZON CALIFOR...	ASH AVE	1013301 · Telephone 13	(6.09)
0117111286...	02/22/15		VERIZON CALIFOR...	OUTSIDE PD	1013301 · Telephone 13	(88.03)
TOTAL						(94.12)
85269	03/04/15	FIRST BANKCARD	FIRST BANKCARD	9259	1000101 · Operating Cash 10	
9259	02/25/15		FIRST BANKCARD	MEMBERSHIP - MAKER	1037201 · Supplies & Materials 37	(217.06)
			FIRST BANKCARD	SUPPLIES - MAKER	1072217 · WM Program Implemen...	(15.91)
			FIRST BANKCARD	SUPPLIES - MAKER	1072217 · WM Program Implemen...	(74.62)
TOTAL						(307.59)
85270	03/04/15	CHANNEL COUNTIES DIVISION	CHANNEL COUNTI...	INVOICE #1532	1000101 · Operating Cash 10	
1532	01/02/15		CHANNEL COUNTI...	2015 MEMBERSHIP DUES	1012305 · Dues & Subscriptions 12	(150.00)
TOTAL						(150.00)
85271	03/04/15	WATER GEAR INC	WATER GEAR INC		1000101 · Operating Cash 10	

1:24 PM

03/11/15

CITY OF CARPINTERIA
Warrant Register
February 26 through March 11, 2015

Num	Date	Name	Source Name	Memo	Account	Paid Amount
00240448	01/07/15		WATER GEAR INC	POOL RESALE ITEMS	4866350 · Supplies for Resale	(168.10)
00240800	01/28/15		WATER GEAR INC	POOL RESALE ITEMS	4866350 · Supplies for Resale	(321.88)
TOTAL						(489.98)
85272	03/11/15	76 FLEET SERVICES	76 FLEET SERVICES	INVOICE 40011061	1000101 · Operating Cash 10	
40011061	02/28/15		76 FLEET SERVICES	VEHICLE FUEL	2531307 · Vehicle Oper & Mainten...	(55.95)
			76 FLEET SERVICES	VEHICLE FUEL	3332307 · Vehicle Oper & Mainten...	(56.85)
			76 FLEET SERVICES	VEHICLE FUEL	1013307 · Vehicle Oper & Mainten...	(38.49)
TOTAL						(151.29)
85273	03/11/15	AG ENT INC	AG ENT INC		1000101 · Operating Cash 10	
14507	02/11/15		AG ENT INC	BF TEST	2361221 · Miscellaneous Contracts	(161.20)
14595	03/06/15		AG ENT INC	BF TEST	2361221 · Miscellaneous Contracts	(120.00)
14596	03/06/15		AG ENT INC	BF TEST	2361221 · Miscellaneous Contracts	(120.00)
14597	03/06/15		AG ENT INC	BF TEST	2361221 · Miscellaneous Contracts	(80.00)
14598	03/06/15		AG ENT INC	BF TEST	2361221 · Miscellaneous Contracts	(144.60)
14599	03/06/15		AG ENT INC	BF TEST	3332221 · Miscellaneous Contract...	(45.00)
TOTAL						(670.80)
85274	03/11/15	AT & T MOBILITY	AT & T MOBILITY	ACCOUNT 832685259	1000101 · Operating Cash 10	
832685259	02/21/15		AT & T MOBILITY	CODE ENF	1047213 · Animal Sheltering	(127.00)
			AT & T MOBILITY	CODE ENF	1047213 · Animal Sheltering	(147.28)
			AT & T MOBILITY	CODE ENF	1047213 · Animal Sheltering	(42.28)
TOTAL						(316.56)
85275	03/11/15	BIG GREEN CLEANING COMPANY	BIG GREEN CLEA...	INVOICE #455306	1000101 · Operating Cash 10	
455306	02/01/15		BIG GREEN CLEAN...	SEASIDE	4865309 · Misc Operating Expens...	(177.00)
TOTAL						(177.00)
85276	03/11/15	BROWNSTEIN HYATT FARBER SCHRECK	BROWNSTEIN HYA...	INVOICE #585902	1000101 · Operating Cash 10	
585902	12/08/14		BROWNSTEIN HYA...	CITY ATTORNEY RETAINER	1017220 · City Attorney Retainer	(10,000.00)
TOTAL						(10,000.00)
85277	03/11/15	CARPINTERIA VETERINARY HOSPITAL INC	CARPINTERIA VET...		1000101 · Operating Cash 10	
230283	02/05/15		CARPINTERIA VET...	DOG LICENSE	1047213 · Animal Sheltering	(60.00)
231078	02/20/15		CARPINTERIA VET...	DOG LICENSE	1047213 · Animal Sheltering	(55.00)
TOTAL						(115.00)
85278	03/11/15	CISNEROS, ARACEL I	CISNEROS, ARAC...	PARK REFUND	1000101 · Operating Cash 10	
PARK REF...	03/02/15		CISNEROS, ARACE...	PARKS DEPOSIT REFUND	2323102 · PARK RENTAL 23	(20.00)
TOTAL						(20.00)

1:24 PM

03/11/15

CITY OF CARPINTERIA
Warrant Register
 February 26 through March 11, 2015

Num	Date	Name	Source Name	Memo	Account	Paid Amount
85279	03/11/15	COAST AUTO PARTS, INC.	COAST AUTO PAR...	FEBRUARY 2015 BILLING	1000101 · Operating Cash 10	
FEB 2015 B...	02/28/15		COAST AUTO PAR...	VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainten...	(9.72)
			COAST AUTO PAR...	VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainten...	(212.58)
			COAST AUTO PAR...	VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainten...	(7.11)
			COAST AUTO PAR...	VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainten...	(22.36)
			COAST AUTO PAR...	VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainten...	(106.55)
			COAST AUTO PAR...	VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainten...	(93.83)
TOTAL						(452.15)
85280	03/11/15	COASTAL VIEW NEWS	COASTAL VIEW N...		1000101 · Operating Cash 10	
45010	01/29/15		COASTAL VIEW NE...	LEGAL NOTICES	1011303 · Printing & Advertising 11	(247.50)
45144	02/26/15		COASTAL VIEW NE...	ARBOR DAY	1030308 · Supplies & Materials 30	(149.00)
45233	03/05/15		COASTAL VIEW NE...	ARBOR DAY	1013308 · Supplies & Materials 13	(149.00)
TOTAL						(545.50)
85281	03/11/15	COUNCIL ON ALCOHOLISM & DRUG ABU...	COUNCIL ON ALC...		1000101 · Operating Cash 10	
123114CAL...	01/22/15		COUNCIL ON ALC...	CALGRIP GRANT	2000261 · Deferred Revenue 20	(15,558.46)
013115CAL...	02/18/15		COUNCIL ON ALC...	CALGRIP GRANT	2000261 · Deferred Revenue 20	(15,080.17)
TOTAL						(30,638.63)
85282	03/11/15	COX COMMUNICATIONS	COX COMMUNICA...	001-3011-022093901	1000101 · Operating Cash 10	
0013011022...	03/01/15		COX COMMUNICA...	INTERNET SERVICES	1018222 · Equipment Maintenance	(132.00)
TOTAL						(132.00)
85283	03/11/15	CRABTREE, KEVI N	CRABTREE, KEVI N	PARKS DEPOSIT REFUND	1000101 · Operating Cash 10	
PARKS RE...	03/10/15		CRABTREE, KEVI N	PARKS DEPOSIT REFUND	1000152 · Deposits	(50.00)
TOTAL						(50.00)
85284	03/11/15	DATA TICKET INC	DATA TICKET INC	INVOICE 59506	1000101 · Operating Cash 10	
59506	03/03/15		DATA TICKET INC	CITATION PROCESSING	1022214 · Hearing Officer	(200.00)
TOTAL						(200.00)
85285	03/11/15	EASY LIFT TRANSPORTATION	EASY LIFT TRANS...	INVOICE 6212	1000101 · Operating Cash 10	
6212	03/01/15		EASY LIFT TRANS...	CLAIM PER CONTRACT FOR MARCH	2734221 · Easy Lift/CART 27	(1,000.00)
TOTAL						(1,000.00)
85286	03/11/15	EVERYWHERE RIGHT NOW	EVERYWHERE RIG...	INVOICE 1491	1000101 · Operating Cash 10	
1491	02/27/15		EVERYWHERE RIG...	WEBHOSTING 2015-2016	1018224 · Software Maintenance	(195.00)
TOTAL						(195.00)

1:24 PM

03/11/15

CITY OF CARPINTERIA
Warrant Register
February 26 through March 11, 2015

Num	Date	Name	Source Name	Memo	Account	Paid Amount
85287	03/11/15	FIDELITY SECURITY LIFE INSURANCE	FIDELITY SECURIT...	INVOICE #2394361	1000101 · Operating Cash 10	
2394361	03/01/15		FIDELITY SECURIT...	MARCH 2015 VISION	1016194 · Wellness 16	(17.56)
			FIDELITY SECURIT...	MARCH 2015 VISION	1041194 · Wellness 41	(8.78)
			FIDELITY SECURIT...	MARCH 2015 VISION	1030194 · Wellness 30	(8.78)
			FIDELITY SECURIT...	MARCH 2015 VISION	1030194 · Wellness 30	(25.81)
			FIDELITY SECURIT...	MARCH 2015 VISION	1022194 · Wellness 22	(17.56)
			FIDELITY SECURIT...	MARCH 2015 VISION	2531194 · Wellness 31	(25.81)
			FIDELITY SECURIT...	MARCH 2015 VISION	1069194 · Wellness 69	(8.78)
			FIDELITY SECURIT...	MARCH 2015 VISION	1051194 · Wellness 51	(16.68)
			FIDELITY SECURIT...	MARCH 2015 VISION	1011194 · Wellness 11	(8.78)
			FIDELITY SECURIT...	MARCH 2015 VISION	1069194 · Wellness 69	(25.81)
			FIDELITY SECURIT...	MARCH 2015 VISION	1044194 · Wellness 44	(16.68)
			FIDELITY SECURIT...	MARCH 2015 VISION	2531194 · Wellness 31	(8.78)
TOTAL						(189.81)
85288	03/11/15	FIRST BANKCARD	FIRST BANKCARD	VOID:	1000101 · Operating Cash 10	
TOTAL						0.00
85289	03/11/15	HOUSE SANITARY SUPPLY	HOUSE SANITARY ...	INVOICE #137464	1000101 · Operating Cash 10	
137464	01/28/15		HOUSE SANITARY ...	POOL	4866308 · Supplies & Materials 66	(19.98)
TOTAL						(19.98)
85290	03/11/15	MARTINEZ, NO E	MARTINEZ, NO E	PARK DEPOSIT REFUND	1000101 · Operating Cash 10	
PARK REF...	03/10/15		MARTINEZ, NO E	PARK REFUND	2323102 · PARK RENTAL 23	(20.00)
TOTAL						(20.00)
85291	03/11/15	MCCORMIX CORP	MCCORMIX CORP	INVOICE #899668	1000101 · Operating Cash 10	
899668	02/28/15		MCCORMIX CORP	PW VEHICLE FUEL	3332307 · Vehicle Oper & Mainten...	(165.34)
TOTAL						(165.34)
85292	03/11/15	MICHAEL LESH CONCRETE	MICHAEL LESH C...	OUTSIDE COURTYARD	1000101 · Operating Cash 10	
OUTSIDE C...	03/09/15		MICHAEL LESH CO...	OUTSIDE COURTYARD PAVERS	1013225 · Grounds Maintenance	(467.50)
TOTAL						(467.50)
85293	03/11/15	MISSION UNIFORM SERVICE	MISSION UNIFORM...	FEBRUARY 2015 UNIFORM	1000101 · Operating Cash 10	
FEB 2015 B...	02/28/15		MISSION UNIFORM...	UNIFORM EXPENSE	2531198 · Uniform Rental 31	(80.72)
			MISSION UNIFORM...	UNIFORM EXPENSE	3332198 · Uniform Rental 32	(80.72)
			MISSION UNIFORM...	UNIFORM EXPENSE	1013198 · Uniform Rental 13	(40.36)
			MISSION UNIFORM...	UNIFORM EXPENSE	2361198 · Uniform Rental 61	(40.36)
TOTAL						(242.16)

1:24 PM

03/11/15

CITY OF CARPINTERIA
Warrant Register
February 26 through March 11, 2015

Num	Date	Name	Source Name	Memo	Account	Paid Amount
85294	03/11/15	NAVPLG	NAVPLG	INVOICE #1425	1000101 · Operating Cash 10	
1425	03/02/15		NAVPLG	NAVPLG MEMBERSHIP - JEAKLE	1045305 · Dues & Subscriptions 45	(50.00)
TOTAL						(50.00)
85295	03/11/15	PACIFIC PLUMBING SPECIALITIES	PACIFIC PLUMBIN...	INVOICE 064095	1000101 · Operating Cash 10	
064095	01/30/15		PACIFIC PLUMBIN...	VIOLA RESTROOM	2361221 · Miscellaneous Contracts	(232.29)
TOTAL						(232.29)
85296	03/11/15	PERRY FORD MAZDA	PERRY FORD MAZ...	INVOICE #6048144	1000101 · Operating Cash 10	
6048144	01/22/15		PERRY FORD MAZ...	VEHICLE REPAIR/MAINTENANCE	2531307 · Vehicle Oper & Mainten...	(348.49)
TOTAL						(348.49)
85297	03/11/15	PROFESSIONAL WASH CENTER	PROFESSIONAL W...	INVOICE #8430	1000101 · Operating Cash 10	
8430	03/03/15		PROFESSIONAL W...	DOWNTOWN BANNERS	3845222 · Marketing/Project Carpi...	(24.75)
TOTAL						(24.75)
85298	03/11/15	SANTA BARBARA COUNTY, PW DEPART...	SANTA BARBARA ...	IRWMP THRU 12-31-14	1000101 · Operating Cash 10	
IRWMP TH...	02/07/15		SANTA BARBARA ...	IRWMP	2779618 · Storm Water Projects	(216.00)
TOTAL						(216.00)
85299	03/11/15	SO CA EDISON	SO CA EDISON		1000101 · Operating Cash 10	
2-14-791-58...	02/28/15		SO CA EDISON	STREET LIGHTING	2923220 · Street Lighting	(101.68)
2-22-684-64...	02/28/15		SO CA EDISON	STREET LIGHTING	2923220 · Street Lighting	(28.88)
TOTAL						(130.56)
85300	03/11/15	SOLID WASTE SOLUTIONS INC	SOLID WASTE SO...	INVOICE #113	1000101 · Operating Cash 10	
113	03/01/15		SOLID WASTE SOL...	AB949 COORDINATION	3937221 · Solid Waste	(140.50)
TOTAL						(140.50)
85301	03/11/15	STAPLES ADVANTAGE	STAPLES ADVANT...		1000101 · Operating Cash 10	
3257261275	02/14/15		STAPLES ADVANT...	PW SUPPLIES	2531308 · Supplies & Materials 31	(80.98)
3257261260	02/14/15		STAPLES ADVANT...	PARKS	2361221 · Miscellaneous Contracts	(152.74)
			STAPLES ADVANT...	ROW	3332221 · Miscellaneous Contract...	(80.00)
3257261277	02/14/15		STAPLES ADVANT...	OFFICE SUPPLIES - P & R	1069308 · Supplies & Materials 69	(91.18)
TOTAL						(404.90)
85302	03/11/15	TRANSAMERICA EMPLOYEE BENEFITS	TRANSAMERICA E...	GROUP ID#G000026466	1000101 · Operating Cash 10	
MAR 2015 ...	03/01/15		TRANSAMERICA E...	MARCH 2015 WELLNESS	1030194 · Wellness 30	(18.75)

1:24 PM

03/11/15

CITY OF CARPINTERIA
Warrant Register
February 26 through March 11, 2015

Num	Date	Name	Source Name	Memo	Account	Paid Amount
			TRANSAMERICA E...	MARCH 2015 WELLNESS	1016194 · Wellness 16	(35.70)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	1030194 · Wellness 30	(56.75)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	1041194 · Wellness 41	(36.45)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	1051194 · Wellness 51	(33.12)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	4868194 · Wellness 68	(35.70)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	1011194 · Wellness 11	(18.75)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	1030194 · Wellness 30	(40.68)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	1012194 · Wellness 12	(33.12)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	1022194 · Wellness 22	(35.70)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	1042194 · Wellness 42	(99.37)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	1041194 · Wellness 41	(87.43)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	1041194 · Wellness 41	(33.12)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	1022194 · Wellness 22	(72.48)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	1012194 · Wellness 12	(18.75)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	1042194 · Wellness 42	(67.40)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	2531194 · Wellness 31	(109.37)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	1030194 · Wellness 30	(35.70)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	2531194 · Wellness 31	(67.40)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	1011194 · Wellness 11	(35.70)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	1022194 · Wellness 22	(18.75)
			TRANSAMERICA E...	MARCH 2015 WELLNESS	4868194 · Wellness 68	(18.75)
TOTAL						(1,008.94)
85303	03/11/15	VENCO WESTERN INC	VENCO WESTERN ...	INVOICE #0149019-IN	1000101 · Operating Cash 10	
	02/24/15		VENCO WESTERN ...	ROW	3332221 · Miscellaneous Contract...	(1,793.19)
			VENCO WESTERN ...	CITY HALL	1013225 · Grounds Maintenance	(742.10)
			VENCO WESTERN ...	PROJ 4865	1000251 · Development Deposits	(221.26)
			VENCO WESTERN ...	VETS HALL	4865220 · Grounds Maintenance 65	(108.66)
			VENCO WESTERN ...	POOL	4866220 · Grounds Maintenance 66	(221.73)
			VENCO WESTERN ...	ROW	3323220 · Parking Lot Landscape	(422.38)
			VENCO WESTERN ...	PARKS	2361225 · Park Maintenance 61	(4,523.56)
TOTAL						(8,032.88)
85304	03/11/15	VULCAN MATERIALS COMPANY	VULCAN MATERIA...		1000101 · Operating Cash 10	
70685716	02/18/15		VULCAN MATERIA...	COLD MIX	2531308 · Supplies & Materials 31	(93.53)
81364	02/28/15		VULCAN MATERIA...	COLD MIX	2531308 · Supplies & Materials 31	(36.90)
TOTAL						(130.43)
85305	03/11/15	A-OK POWER EQUIPMENT	A-OK POWER EQU...	INVOICE #82016	1000101 · Operating Cash 10	
82016	02/18/15		A-OK POWER EQU...	SAFETY EQUIPMENT - HUFF	3332197 · Indiv Equip Reimburse...	(29.96)
TOTAL						(29.96)
85306	03/11/15	ALL AROUND LANDSCAPE SUPPLY	ALL AROUND LAN...		1000101 · Operating Cash 10	
S1780120.0...	02/18/15	15018	ALL AROUND LAN...	9TH STREET DRAIN	4179613 · Bikepath Maintenance	(644.53)
S1782393.0...	02/19/15		ALL AROUND LAN...	CITY HALL MAINTENANCE	1013225 · Grounds Maintenance	(72.94)
S1782458.0...	02/19/15		ALL AROUND LAN...	CITY HALL MAINTENANCE	1013225 · Grounds Maintenance	(0.42)
S1782461.0...	02/19/15		ALL AROUND LAN...	ROW	3332308 · Supplies & Materials 32	(32.40)
S1782365.0...	02/19/15	15018	ALL AROUND LAN...	9TH STREET DRAIN	4179613 · Bikepath Maintenance	(28.43)

1:24 PM

03/11/15

CITY OF CARPINTERIA
Warrant Register
 February 26 through March 11, 2015

Num	Date	Name	Source Name	Memo	Account	Paid Amount
TOTAL						(778.72)
85307	03/11/15	IWORQ SYSTEMS	IWORQ SYSTEMS	INVOICE #6631	1000101 · Operating Cash 10	
6631	02/16/15		IWORQ SYSTEMS	COMPUTER HARDWARE	1018224 · Software Maintenance	(8,750.00)
TOTAL						(8,750.00)
85308	03/11/15	J. H. DOUGLAS & ASSOCIATES	J. H. DOUGLAS & ...	INVOICE #4	1000101 · Operating Cash 10	
4	02/15/15		J. H. DOUGLAS & A...	2015-2023 HOUSING ELEMENT	4242425 · SEMP	(1,050.00)
TOTAL						(1,050.00)
85309	03/11/15	SO CA EDISON	SO CA EDISON		1000101 · Operating Cash 10	
2-32-832-75...	03/03/15		SO CA EDISON	PROJ 4865	1000251 · Development Deposits	(661.28)
2-30-652-42...	03/03/15		SO CA EDISON	VETS HALL	4865309 · Misc Operating Expens...	(325.70)
2-26-504-72...	03/04/15		SO CA EDISON	SEASIDE BUILDING	4865309 · Misc Operating Expens...	(71.73)
			SO CA EDISON	SIGNALS	2923210 · Traffic Signals	(30.94)
TOTAL						(1,089.65)
85310	03/11/15	STAPLES ADVANTAGE	STAPLES ADVANT...	3257542444	1000101 · Operating Cash 10	
3257542444	02/18/15		STAPLES ADVANT...	OFFICE SUPPLIES	1013308 · Supplies & Materials 13	(265.78)
TOTAL						(265.78)
85311	03/11/15	VERIZON CALIFORNIA	VERIZON CALIFOR...	0117101114329800406	1000101 · Operating Cash 10	
0117111143...	02/28/15		VERIZON CALIFOR...	CIVIC CENTER	1013301 · Telephone 13	(904.61)
			VERIZON CALIFOR...	PUBLIC WORKS	2531311 · Rents & Leases 31	(40.33)
			VERIZON CALIFOR...	BEACHES	2862301 · Telephone 62	(120.80)
			VERIZON CALIFOR...	POOL	4866301 · Telephone 66	(235.25)
			VERIZON CALIFOR...	BEACH CONCESSION	2864308 · Supplies & Materials 64	(113.71)
TOTAL						(1,414.70)
85312	03/11/15	FIRST BANKCARD	FIRST BANKCARD		1000101 · Operating Cash 10	
9739	02/25/15		FIRST BANKCARD	IAPMO MEMBERSHIP - KEOUGH	1042305 · Dues & Subscriptions 42	(75.00)
0570	02/25/15		FIRST BANKCARD	PW SUPPLIES	3332308 · Supplies & Materials 32	(65.89)
			FIRST BANKCARD	PW SUPPLIES	3332308 · Supplies & Materials 32	(205.17)
			FIRST BANKCARD	COMPUTER SUPPLIES	1070417 · Computer Hardware	(1,140.45)
			FIRST BANKCARD	COMPUTER SUPPLIES	1070417 · Computer Hardware	(252.39)
			FIRST BANKCARD	ANNUAL BUDGET	1014229 · Annual Audit	(435.00)
			FIRST BANKCARD	COMPUTER SUPPLIES	1070417 · Computer Hardware	(64.79)
7882	02/25/15		FIRST BANKCARD	CERT SUPPLIES	1024215 · Disaster Preparedness	(92.19)
			FIRST BANKCARD	CERT SUPPLIES	1024215 · Disaster Preparedness	(539.95)
			FIRST BANKCARD	CERT SUPPLIES	1024215 · Disaster Preparedness	(790.00)
			FIRST BANKCARD	CERT SUPPLIES	1024305 · Dues & Subscriptions 24	(185.00)
			FIRST BANKCARD	CERT SUPPLIES	1045308 · Supplies & Materials 45	(93.63)
			FIRST BANKCARD	CERT SUPPLIES	1045308 · Supplies & Materials 45	(188.83)
			FIRST BANKCARD	MEETINGS & TRAVEL - JEAkle	1024306 · Meetings & Travel 24	(201.60)

1:24 PM

03/11/15

CITY OF CARPINTERIA
Warrant Register
February 26 through March 11, 2015

Num	Date	Name	Source Name	Memo	Account	Paid Amount
1081	02/25/15		FIRST BANKCARD	MEETINGS & TRAVEL - JEAKLE	1024306 · Meetings & Travel 24	(17.04)
			FIRST BANKCARD	PARKS	2361221 · Miscellaneous Contracts	(42.73)
			FIRST BANKCARD	WATER POLO	4868308 · Supplies & Materials 68	(93.00)
			FIRST BANKCARD	COMPUTER SUPPLIES	1070417 · Computer Hardware	(317.19)
			FIRST BANKCARD	LEARN TO SWIM REGISTRATION	4868308 · Supplies & Materials 68	(650.00)
			FIRST BANKCARD	DISPENSER STICKERS	4863308 · Special Events Expenses	(17.94)
			FIRST BANKCARD	RODENT CONTROL	2862308 · Supplies & Materials 62	(173.31)
			FIRST BANKCARD	RODENT CONTROL	2361221 · Miscellaneous Contracts	(140.00)
			FIRST BANKCARD	WATER POLO	4868308 · Supplies & Materials 68	(125.00)
			FIRST BANKCARD	POOL WEBSITE	4866308 · Supplies & Materials 66	(59.97)
			FIRST BANKCARD	TOWERS	2879418 · Lifeguard Tower	(242.85)
			FIRST BANKCARD	TRIATHLON	4863300 · Triathlon Expense	(275.00)
			FIRST BANKCARD	POSTER SUPPLIES	2361221 · Miscellaneous Contracts	(34.13)
			FIRST BANKCARD	PARK & REC SUPPLIES	2862308 · Supplies & Materials 62	(176.41)
			FIRST BANKCARD	SAFETY CLASS CERTS	4866308 · Supplies & Materials 66	(135.00)
			FIRST BANKCARD	PARK & REC SUPPLIES	1069308 · Supplies & Materials 69	(33.58)
1214	02/25/15		FIRST BANKCARD	LOGISTICS CENTER TRAINING	1051310 · Public Relations 51	(5.95)
			FIRST BANKCARD	LOGISTICS CENTER TRAINING	1051310 · Public Relations 51	(5.94)
			FIRST BANKCARD	LOGISTICS CENTER TRAINING	1051310 · Public Relations 51	(54.03)
			FIRST BANKCARD	LOGISTICS CENTER TRAINING	1051310 · Public Relations 51	(5.59)
1644	02/25/15		FIRST BANKCARD	INTEREST CHARGE	1011308 · Supplies & Materials 11	(7.17)
TOTAL						(6,941.72)
TOTAL						\$157,473.67

**City of Carpinteria
City Council Minutes
Regular Meeting
Council Chambers
Monday, March 9, 2015**

CALL TO ORDER

Mayor Carty called the meeting to order at 4:32 p.m.

ROLL CALL

Councilmember Al Clark, Councilmember Wade Nomura, Councilmember J. Bradley Stein, Vice Mayor Fred Shaw, and Mayor Gregg Carty were present. City Manager Dave Durflinger, Peter Brown on behalf of Brownstein Hyatt Farber Schreck, LLP, acting as City Attorney of the City of Carpinteria and Parks and Recreation Director Matt Roberts were also present.

PUBLIC COMMENT ON CLOSED SESSION MATTER: NONE.

CLOSED SESSION

Mr. Brown announced the City Council would meet in Closed Session to discuss:

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

Property: A parcel approximately two miles in length and fifty feet in width, bisecting the area of the City's tidelands jurisdiction.

Negotiating Party/Property Owner: Venoco, Inc. and Ellwood Pipeline, Inc.

Agency Negotiators: Dave Durflinger, City Manager; Peter Brown on Behalf of Brownstein Hyatt Farber Schreck, LLP acting as City Attorney of the City of Carpinteria and Matt Roberts, Director of Parks and Recreation.

Under Negotiation: price and/or terms of payment.

TEMPORARY ADJOURNMENT TO CLOSED SESSION

Mayor Carty announced the City Council would temporarily adjourn to Closed Session at 4:33 p.m.

CALL BACK TO ORDER

The meeting was reconvened and called to order by Mayor Carty at 5:30 p.m.

CLOSED SESSION REPORT

Mr. Brown noted that the City Council met in Closed Session to discuss the closed session matter noted above. He announced there were no required reportable actions from the Closed Session.

ROLL CALL

Councilmembers present:

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

Staff members present:

Dave Durlinger, City Manager
Peter Brown, Brownstein Hyatt Farber Schreck
Hillary Steenberge, Brownstein Hyatt Farber Schreck
Fidela Garcia, City Clerk
Charlie W. Ebeling, Public Works Director
Matt Roberts, Parks and Recreation Director

PLEDGE OF ALLEGIANCE

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

INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS: NONE.

PUBLIC INFORMATION REPORTS AND ANNOUNCEMENTS: NONE.

CITY MANAGER'S REPORT

- C3H (Central Coast Collaborative on Homelessness) Regional Coordination Committee kickoff meeting to be held at City Hall on March 12. The topic of discussion will be forming local coordination committees to work with business representative and residents to identify the most vulnerable of the homeless population and connect them with housing and other support services. Members of the public are invited to attend.
- Carpinteria Valley Water (CVWD) Board was granted recycled water planning grant from the State Water Board in the amount of \$75K to study options for brining recycled water options locally to Carpinteria. City Carpinteria, Carpinteria

Valley Sanitation District and CVWD Boards, have entered into an MOU to work collaborative in conducting the study and will bring back the results each respective Board.

- Berm to be removed this week. Public is cautioned to be aware of the construction zone for safety reasons and to stay clear of the working equipment in and around the surf zone until project is complete.
- Upcoming March 23 City Council topics include: Annual Housing Element Report; Request for a Fee Waiver for a development permit for a dog park, and Rail Transpiration Hazard and Oil by Rail.

PRESENTATIONS BY CITIZENS/PUBLIC COMMENT

Scott Burns, representing Donate Life California, presented the City with a photograph and thanked the Council for participating in the Rose Bowl event where Councilmember Nomura placed a flower on the Donate Life Float on behalf of the City; He thanked the City for issuing a proclamation designating April as Donate Life Month. He stated Donate Life represents 120,000 people nationwide that are on a waiting list for a new organ. Lastly, he announced that Donate Life will hold a run/walk in Fullerton on April 25.

Michel Baker, CEO of United Boys and Girls Club of Santa Barbara, mentioned the Saturday club hours in Carpinteria were resumed after having been closed for some time, and it drew in 77 kids on February 28, the first day of reopening. He encouraged all to take a tour of the site and he thanked the Council for past years of support and encouraged continued support.

AGENDA MODIFICATIONS: NONE

CONSENT CALENDAR

Motion by Councilmember Stein, seconded by Councilmember Nomura, to approve the Consent Calendar.

Motion carried unanimously.

2. Expenditures for the period beginning February 19, 2015 and ending February 25, 2015.
3. Minutes of the regular meeting held February 9 and 23, 2015.
4. Report of Contracts Executed by the City Manager on behalf of the City for the Period of December 2014 through February 2015.

ADMINISTRATIVE MATTER: None.

PUBLIC HEARING:

5. Measure A Five-Year Local Program of Projects for Fiscal Years 2015-16 through 2019-20

Recommendation: Receive report and adopt Resolution No. 5590, approving the Measure A Five-year Local Program of Projects for Fiscal Years 2015-16 through 2019-20, as read by title only.

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

Mr. Ebeling responded to Vice Mayor Shaw's question stating that he is correct and the funds for the electric shuttle go directly to Metropolitan Transportation District (MTD) under Measure A Program unlike the Measure D Program. He continued by stating that the City works very closely with MTD to provide input for the electric shuttle service but the dollar amounts received go directly to MTD under the Measure A Program.

Mayor Stein opened the Public Hearing at 5:47 p.m.

There was no Public Comment.

Mayor Stein closed the Public Hearing at 5:47 p.m.

Motion by Councilmember Shaw, seconded by Councilmember Stein, to adopt Resolution No. 5590, as read by title only, approving the Measure A Five Year Local Program of Projects for Fiscal Years 2015/16 to 2019/20.

Motion carried unanimously.

OTHER BUSINESS:

6. Closeout Agreement and Release of Claims (Closeout Agreement) for the Seaside Park Project located at 5103 Carpinteria Avenue

Recommendation: Authorize the Mayor to sign the Closeout Agreement for the Seaside Park Project, accept the work performed by DPM Construction Company and to have the City Manager sign and record the Notice of Completion with the County Recorder.

Mr. Brown noted that Hillary Steenberge from Brownstein's Carpinteria team would be handling the matter for the City Attorney's Office and took a seat in the audience.

Mr. Roberts presented the Staff Report and PowerPoint.

There was no Public Comment.

Motion by Councilmember Stein, seconded by Vice Mayor Shaw, to authorize the Mayor to sign the Closeout Agreement for the Seaside Park Project, formally accept the work performed by DPM Construction Company and to have the City Manager sign and record the Notice of Completion.

Motion carried unanimously.

7. Agreement with COM3 Consulting for Updating the Development Impact Fee and Capital Improvement Programs

Recommendation: Approve and authorize the Mayor to sign the agreement with COM3 Consulting for updating the Development Impact Fee and Capital Improvement Programs.

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

Mr. Ebeling stated the City Attorney has reviewed and updated the agreement boiler plate that was used for this contract in the Staff Report and the revised agreement with COM3 was placed on the dais tonight for Council's consideration along with his presentation.

There was no Public Comment.

Mr. Brown noted that Ms. Steenberge also worked on this contract and the next agreement with Disability Access Consultants and if there are any questions with regard to the provision, she is present to answer.

Motion by Councilmember Stein, seconded by Vice Mayor Shaw, to sign the agreement with COM3 Consulting for updating the Development Impact Fee and Capital Improvement Programs.

Motion carried unanimously.

8. Agreement with Disability Access Consultants to Update the City's American's with Disabilities Act Transition Plan.

Recommendation: Approve and authorize the Mayor to sign the agreement with Disability Access Consultants to update the City's Americans with Disabilities Act Transition Plan.

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

Mr. Ebeling noted, once again, that a revised contract was been placed on the dais this evening for Council's consideration along with his presentation.

There was no Public Comment.

Motion by Councilmember Clark, seconded by Councilmember Nomura, to approve and authorize the Mayor to sign the agreement with Disability Access Consultants to update the City's Americans with Disabilities Act Transition Plan.

9. Proposed Food Concessionaire Agreement Adjacent to the Linden Avenue Street End

Recommendation: That the City Council approve and authorize the City Manager to execute the food concessionaire agreement.

Mr. Roberts presented the Staff Report and PowerPoint.

There was no Public Comment.

Motion by Councilmember Clark, seconded by Councilmember Nomura, to approve and authorize the City Manager to execute the food concessionaire agreement with Roger and Penelope Gilbert for a one year term with two one year extensions with the modification discussed.

Motion carried unanimously.

COMMITTEE REPORTS, INQUIRIES AND OTHER MATTERS PRESENTED BY COUNCILMEMBERS

Councilmember Shaw reported on attending a HopeNet meeting on March 4 and said the group will be holding a Suicide Prevention Day Vigil on September 10 at the end of Linden Street and includes two college age speakers who have dealt with the issue; and he attended a Point In Time Count conducted by C3H, which was a homeless count conducted recently by the County. He noted several statistical facts about our County homeless population stating that the homeless population has stayed about the same but gone down by about 10 to 15 people every few years; 76 % of the County's homeless population have either lived in Santa Barbara County or California at some point; 74% of those interviewed are enrolled in some health services; veterans make up 15 % of that population, the time veterans are homeless is about 8.3 years; overall the homeless population is staying about the same in the County; however, Santa Barbara City's homeless population has gone down compared to other cities such as Lompoc, Santa Maria, and Carpinteria.

Councilmember Nomura reported having attended along with Councilmember Stein a meeting of the City and Utilities Joint Committee. He provided update on Lake Cachuma with regard to the drought. He stated that every 3 years is the average of when the pills over and that we are in our 5th year of no spill. Rain has caused the lake level to hold steady. He noted what is going into the lake is being consumed daily and

no rationing has been implemented as of yet. The concern with ground water levels continuing to go down is that if it continues to go down the pump may have to be activated and there may be a limited amount of volume going through the pipe at that time and communities at the end of the pipeline such as Carpinteria would be most affected; especially, if there is a large draw on the front end. He further mentioned a discussion held on the topic of Design Guidelines at the ARB and PC level which are taking a look at the design of hardscaping and including hardscaping into more of the design elements so there is less water consumption; Recycling Water Facilities Planning Grant and Study to be split among the three agencies with the City's share being \$25,000. The same company that is doing the survey was approached by Heal the Ocean Study who received a grant for \$170,000 for the same basic study plan; they are looking to work with that group to see if they can use that money first and then subsidize it to come in with a secondary plan rather than overlap the two grants; Trench Cut Ordinance was discussed with no agreement reached as to how that would be handled; and lastly, a tour was received of the new upgrades made to the Carpinteria Sanitary District.

ATTENDANCE OF COUNCILMEMBERS FOR FUTURE MEETINGS

ADJOURNMENT

The meeting was adjourned at 6:25 p.m. by Mayor Carty.

Gregg A. Carty, Mayor

ATTEST:

Fidela Garcia, CMC, City Clerk



City of Carpinteria

COUNCIL AGENDA STAFF REPORT MARCH 23, 2015

ITEM FOR COUNCIL CONSIDERATION

Proposal to Continue Street Lighting District No. 1; Direct Preparation of Report

STAFF RECOMMENDATION

Action Item x ; Non-Action Item

Adopt the attached Resolution No. 5599, as read by title only, directing the City Manager to prepare an assessment report for the consideration of continuing Street Lighting District No. 1 for the Fiscal Year 2015-16.

Motion: I move adoption of Resolution No. 5599 as read by title only directing the City Manager to prepare an assessment report for the consideration of continuing Street Lighting District No. 1 for the Fiscal Year 2015-16.

BACKGROUND/DISCUSSION

Street Lighting District No. 1 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.

POLICY CONSISTENCY

The maintenance of public street lighting, formerly supported by the subject District, can be found consistent with various City policies including General Plan Community Design policies for the Downtown area. The work is also consistent with the City's interest in protecting public health and safety.

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 6/30/14 was \$951,935. The City's current work program includes a project to replace lighting in public parking lots and trails.

LEGAL

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

Reference the attached Resolution No. 5599, which, if adopted, is the first step in the annual process to consider renewal of the Street Lighting District No. 1.

The following is the sequence of events for continuing the District:

March 23 --- Adopt a resolution ordering the preparation of a report describing the status of the District, which provides street lighting for the City and to provide projections for FY 2015-16

April 27 --- The report is presented by staff with recommendations.
Adopt a resolution accepting the report.
Adopt a resolution of intention to continue the District for next year and set for public hearing

May 25 --- Conduct a public hearing on the proposal to continue the District
Adopt a resolution continuing the District and levying the tax for fiscal year 2015-16

OPTIONS

Discontinue the District
Direct changes to Resolution No. 5599

PRINCIPAL PARTIES EXPECTED AT MEETING

Unknown

ATTACHMENTS

- A. State of Fund Transactions and Financial Condition for the fiscal year
- B. Resolution No. 5599

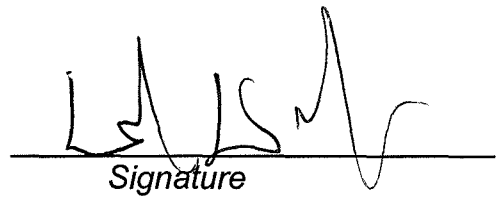
Staff contact: John Thornberry

Phone: 805-684-5405 x 448
Email: JohnT@ci.carpinteria.ca.us



Signature

Reviewed by: Dave Durflinger, City Manager



Signature

Attachment A

State of Fund Transactions and Financial Condition for the fiscal year

Page 5

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Attachment B

Resolution No. 5599

RESOLUTION NO. 5599

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, CHAPTER 8.5
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
STREET LIGHTING DISTRICT NO. 1
FOR THE PERIOD BEGINNING
JULY 1, 2015, AND ENDING JUNE 30, 2016

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 District No. 1 in the City of Carpinteria for the period beginning July 1, 2015 and ending June 30, 2016; and

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

WHEREAS, the provisions of said Division 14, Part 1, Chapter 8.5, 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 District No. 1 in said City for the period beginning July 1, 2015 and ending June 30, 2016.

PASSED, APPROVED AND ADOPTED this 25th day of March, 2015 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 No. 5599 was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 25th day of March, 2015.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
acting as City Attorney of the City of Carpinteria



City of Carpinteria

COUNCIL AGENDA STAFF REPORT MARCH 23, 2015

ITEM FOR COUNCIL CONSIDERATION

Proposal to Continue Lighting, Landscaping and Right of Way Improvement District No. 3 for Fiscal Year 2015-16

STAFF RECOMMENDATION

Action Item x ; Non-Action Item

Adopt the attached Resolution No. 5600, as read by title only, ordering the preparation of a report describing the financial status of the District and recommending assessments for fiscal year 2015-16 for Carpinteria Lighting, Landscaping and Right of Way Improvement District No. 3.

Motion: I move adoption of Resolution No. 5600, as read by title only, directing the City Manager to prepare, or have prepared, a report describing the financial status of the District and recommending assessments for fiscal year 2015-16 for the Carpinteria Lighting, Landscaping and Right of Way Improvement District No. 3.

BACKGROUND/DISCUSSION

This assessment district was formed on June 8, 1985 by Resolution No. 1474, superseding Street Lighting District No. 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 No. 2, this District may also make assessments for street lighting, but such assessments are not made since the overlapping Street Lighting District No.1 provides funding sufficient to meet any street lighting needs.

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.

POLICY CONSISTENCY

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 No.3 is the financial means by which the City can, in part, implement these policies.

FINANCIAL CONSIDERATIONS

The attached exhibit 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 District is fixed at levels set in 1985 when the District was first established. The General Fund subsidized the District by \$137,817 last year. The current year subsidy is estimated at \$80,794.

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.

LEGAL

The following is the sequence of events for continuing the District:

- March 23 --- Adopt a resolution ordering the preparation of a report describing the financial status and recommending assessments for fiscal year 2015-16.
- April 27 --- The report is prepared and presented by staff with recommendations.
Adopt a resolution accepting the report.
Adopt a resolution of intention to continue the District and to levy assessments for next year and set for public hearing.
- May 25 --- Conduct a public hearing on the proposal to continue the District.
Adopt a resolution continuing the District and levying assessments for fiscal year 2015-16.

OPTIONS

Discontinue the District

Modify scope/purpose of the District

PRINCIPAL PARTIES EXPECTED AT MEETING

Unknown

ATTACHMENTS

- A. Summary of revenue and expense for the District providing past years, current year and projected data for next year.
- B. Resolution No. 5600

Staff contact: John Thornberry

Phone: 805-684-5405 x 448
Email: JohnT@ci.carpinteria.ca.us



Signature

Reviewed by: Dave Durflinger, City Manager



Signature

Attachment A

Summary of revenue and expense for the District providing past years, current year and projected data for next year.

ASSESSMENT DISTRICT #3

A. SUMMARY OF FUND TRANSACTIONS:

B. BALANCE SHEET, JUNE 30

LIABILITIES AND FUND BALANCE

C. FISCAL YEAR REVENUE DETAIL:

D. FISCAL YEAR EXPENDITURE DETAIL:

ATTACHMENT A

Attachment B

Resolution No. 5600

RESOLUTION NO. 5600

**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
CARPINTERIA LIGHTING, LANDSCAPING AND RIGHT OF WAY IMPROVEMENT
DISTRICT NO. 3
FOR FISCAL YEAR 2015-16**

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 2015-16; and

WHEREAS, the Carpinteria Lighting, Landscaping and Right of Way Improvement District No. 3 includes the entire City of Carpinteria, including those parcels created within the City subsequent to the establishment of said District, 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 Manager have the City Engineer prepare 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 No. 3 for Fiscal Year 2015-16.

PASSED, APPROVED AND ADOPTED this 23rd day of March 2015 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 No. 5600 was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 23rd day of March 2015.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
acting as City Attorney of the City of Carpinteria



City of Carpinteria

COUNCIL AGENDA STAFF REPORT March 23, 2015

ITEM FOR COUNCIL CONSIDERATION

Proposal to Continue the Parking and Business Improvement Area Assessment District No. 4 for FY 2015-16

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

Adopt the attached Resolution No. 5593, as read by title only, ordering a report by the Parking and Business Improvement Area Advisory Board for the purpose of continuing assessments for the Carpinteria Parking and Business Improvement Area Assessment District No. 4 for fiscal year 2015-16.

Motion: I move to adopt Resolution No. 5593, as read by title only, ordering a report by the Parking and Business Improvement Area Advisory Board for the purpose of continuing assessments for the Carpinteria Parking and Business Improvement Area Assessment District No. 4 for fiscal year 2015-16.

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 located from Parking Lot No. 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 year 1996-97, a new sub-area "C" was created and assessments levied to finance an asphalt overlay of Parking Lot No. 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 of downtown promotions, such as the two holiday parades, the Halloween Safe Trick or Treat event, as well as the Downtown banner program and a courtesy map.

DISCUSSION

The Downtown-T Business Advisory Board (DTBAB) has a duty to prepare and present an Annual Report to the City Council that addresses all matters relating to the Assessment District, including the methods and basis of levying the assessments and recommendations on the use of funds collected by the District. Additionally, the Board makes recommendations to the City Council for general promotion of business activities, economic growth, and stability of the District, and general maintenance issues within the Downtown-T.

POLICY CONSISTENCY

This item is in conformance with the requirements laid out in Chapter 3 and 4 of the "Parking and Business Improvement Area Law of 1989" of the California Streets and Highways Code.

FINANCIAL CONSIDERATIONS

Any financial impact to the City is incidental staff time in working with the Downtown-T Business Advisory Board to prepare the annual report of Assessment District No. 4.

LEGAL

Assessments for District No. 4 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 23, 2015 - Adopt a resolution ordering the preparation of the Annual Report
- April 28, 2015 - Staff presents Annual Report with recommendations
Adopt resolution accepting report
Adopt resolution setting the matter for a public hearing
- May 27, 2015 - Hold public hearing on proposal to continue District
Adopt resolution continuing District and levying assessments for FY 2015-16

OPTIONS

The City Council could choose to:

1. Levy assessments at the levels discussed in the staff report, or
2. Levy assessments at their current levels with a General Fund subsidy, or
3. Levy assessments at some intermediate level.

PRINCIPAL PARTIES EXPECTED AT MEETING

There are no expected parties at the meeting.

ATTACHMENTS

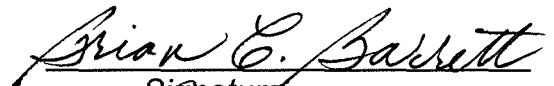
- Attachment A: Resolution No. 5593
Attachment B: State of Fund Transactions and Financial Condition for the District

Staff contact:

Brian C. Barrett, Management Analyst
(805) 684-5405, ext. 446
brianb@ci.carpinteria.ca.us

Reviewed by:
John Thornberry, Administrative Services Director

Reviewed by: Dave Durflinger, City Manager


Signature


Signature


Signature

ATTACHMENT A

Resolution No. 5593

RESOLUTION NO. 5593

**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, 2015 AND ENDING JUNE 30, 2016
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, 2015 ; 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 2015-16 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 Downtown-T Business 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, 2015 and ending June 30, 2016, 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 23rd day of March 2015 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 23rd day of March 2015.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
Acting as City Attorney of the City of Carpinteria

ATTACHMENT B

State of Fund Transactions and Financial Condition for the District

FUND 38
PARKING AND BUSINESS IMPROVEMENT AREA DISTR

	ACTUAL 2011-12	ACTUAL 2012-13	ACTUAL 2013-14	BUDGET 2014-15	PROJECTED 2015-16
A. SUMMARY OF FUND TRANSACTIONS:					
Fund Balance; July 1	19,153	20,301	16,678	16,678	19,099
Fiscal Year Revenues	27,829	25,248	48,745	30,396	30,396
Fiscal Year Expenditures	26,681	28,871	27,023	27,975	27,975
Fund Balance; June 30	20,301	16,678	38,400	19,099	21,520
Revenue Over/(Under) Expense	1,148	(3,622)	21,722	2,421	2,421
B. BALANCE SHEET, JUNE 30					
ASSETS:					
Cash in Savings	21,144	20,679	38,423	19,099	21,520
Time Deposits	0	0	0	0	0
Accounts Receivable	0	0	0	0	0
*Total Assets>>>>>>>>>>>>>>>>>>>>	21,144	20,679	38,423	19,099	21,520
LIABILITIES AND FUND BALANCE					
Accounts Payable	1,991	4,000	22	0	0
Fund Balance	20,301	16,678	38,400	19,099	21,520
*Total Liabilities & Fund Balance>>	22,292	20,678	38,422	19,099	21,520
C. FISCAL YEAR REVENUE DETAIL:					
Use of Money & Property	501	58	201	204	204
Assessment General BusinessDistrict #4 Assessme	13,232	14,397	17,204	14,756	14,756
Parking Lot Assessment	14,096	10,793	14,596	15,436	15,436
Transfers In	0	0	16,744	0	0
*Total Revenues>>>>>>>>>>>>>>>>>>>>	27,829	25,248	48,745	30,396	30,396
D. FISCAL YEAR EXPENDITURE DETAIL:					
Parking Lot #2 Payments					
Project Carpinteria					
Business Promotion/Revitalization	9,432	11,622	9,774	10,726	10,726
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>>>	26,681	28,871	27,023	27,975	27,975
Linden Avenue	0	0	0	0	0
Public Restroom					
*Total Capital Outlay Expense>>>>	0	0	0	0	0
*Total Expenditures>>>>>>>>>>>>>>>>>>>>	26,681	28,871	27,023	27,975	27,975



City of Carpinteria

COUNCIL AGENDA STAFF REPORT March 23, 2015

ITEM FOR COUNCIL CONSIDERATION

Adoption of Resolution No. 5601 to initiate proceedings to set the annual assessment of the City's Assessment District No. 5.

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

Staff recommends that the City Council adopts Resolution No. 5451.

Motion: **I move to adopt Resolution No. 5601, as read by title only.**

BACKGROUND / DISCUSSION

The winter protection berm Assessment District # 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. The Report is scheduled to be heard at the April 20, 2015 City Council Meeting.

POLICY CONSISTENCY

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.

FINANCIAL CONSIDERATIONS

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

LEGAL

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

OPTIONS

1. Approve Resolution No. 5601 to Initiate proceedings for Assessment District No. 5.
2. Direct Staff at the City Council's discretion.

PRINCIPAL PARTIES EXPECTED AT MEETING

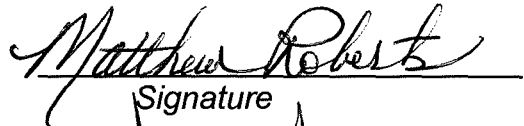
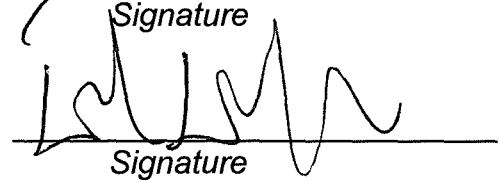
There are no principal parties expected at the meeting

ATTACHMENTS

Resolution No. 5451

Staff contact:
Matthew Roberts
(805) 684-5405 ext. 449
mattr@ci.carpinteria.ca.us

Reviewed by: Dave Durflinger, City Manager


Signature

Signature

**Resolution No. 5601
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 2015/16 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 20th, 2015, 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 23th day of March, 2015 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 23th day of March, 2015.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
Acting as City Attorney of the City of Carpinteria



City of Carpinteria

COUNCIL AGENDA STAFF REPORT March 23, 2015

ITEM FOR COUNCIL CONSIDERATION

Resolution Authorizing Filing of Annual Claim with the Santa Barbara County Association of Governments for FY 2015-16 Transportation Development Funds Allocation

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

Adopt Resolution No. 5591 authorizing submittal of the Transportation Development Act Claim for the fiscal year 2015-16.

Motion: I move to adopt Resolution No. 5591, as read by title only, authorizing submittal of the Transportation Development Act Claim for the fiscal year 2015-16.

BACKGROUND

The California Transportation Development Act (TDA) is a funding source for the development and support of public transportation needs that exist in California. The TDA provides two major sources of funding, the Local Transportation Fund (LTF) and the State Transit Assistance (STA) Fund. The City only claims LTF funding and not STA funding since it doesn't operate a transit system. The LTF Fund is a local fund in which the state deposits sales tax revenue to be used for transportation purposes defined by TDA. The Santa Barbara County Association of Governments (SBCAG), as the state-designated Regional Transportation Planning Agency for Santa Barbara County, is responsible for administering the distribution of funds to local TDA recipients and monitoring the subsequent use of those funds to ensure conformity with all state and local requirements. Funds are allocated to areas of each county based on population, taxable sales, and transit performance. The TDA provides funding for use by local agencies for a variety of transportation purposes with public transportation as the first priority. Other eligible purposes are regional transportation planning and programming, bicycle and pedestrian projects, and local street and road projects when certain conditions are met.

DISCUSSION

Every year SBCAG divides the estimated amount to be deposited in the TDA fund over the coming fiscal year among each of the County's local jurisdictions based on population percentages provided by the Department of Finance. This amount is called the apportionment. The City of Carpinteria's allocation is \$10,658 for fiscal year 2015-16. This is \$511 or 5.0% more than the 2014-15 allocation. As of June 30, 2014 the City's audited TDA fund balance is \$40,496.

In order to receive the allocation in the upcoming fiscal year, the City must submit a claim to SBCAG, describing how the apportionment will be used. These claims must be submitted to SBCAG by April 1st each year. Typically, in June the SBCAG Board approves the amount of funding to be distributed to each local agency and eligible uses of funds based on the claims submitted. SBCAG disburses LTF funds each month when revenue comes in from the Board of Equalization. It has been the City's practice, when enough dollars accumulate in the fund, to pursue a maintenance and improvement project which provides for bike path repairs, resurfacing, re-striping and/or related landscaping maintenance.

Adoption of Resolution No. 5591 will enable staff to meet the April 1st deadline for filing the funding claim.

POLICY CONSISTENCY

This item is in accordance with the regulations of the Transportation Development Act.

FINANCIAL CONSIDERATIONS

If the City Council decides not to have staff submit the TDA Claim, the City will not receive the \$10,658 apportionment for FY 2015-16 and it would not be able to accumulate additional money into the existing \$40,496 TDA fund balance to pursue a future maintenance project.

LEGAL

There are no legal concerns with this item.

OPTIONS

The City Council could choose to direct staff to revise the TDA Claim for FY 2015-16 and adopt at a future meeting held before April 1st.

PRINCIPAL PARTIES EXPECTED AT MEETING

There are no expected parties at the meeting.

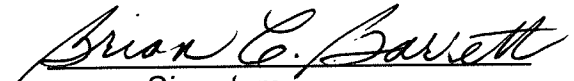
ATTACHMENTS

Attachment A: Resolution No. 5591
Attachment B: TDA Claim Documents

Staff contact:
Brian C. Barrett, Management Analyst
(805) 684-5405, ext. 446
brianb@ci.carpinteria.ca.us

Reviewed by:
John Thornberry, Administrative Services Director

Reviewed by: Dave Durflinger, City Manager


Signature


Signature


Signature

ATTACHMENT A

Resolution No. 5591

RESOLUTION NO. 5591

**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 2015-16**

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 2015-16.

BE IT FURTHER RESOLVED that authorized claim includes \$10,658 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 23rd day of March, 2015, 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 23rd day of March, 2015.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
Acting as City Attorney of the City of Carpinteria

ATTACHMENT B

TDA Claim Documents

Article 3 Bike/ Ped	Article 4 Transit	Article 4.5 Community Transit	Article 8(a) Streets & Roads	Article 8(c) Transit	REQUIRED FORMS CHECKLIST	
					Claimant:	City of Carpinteria
Cities and County	COLT, Guad., SBMTD, SMAT, SYVT	CTSAs: Easy Lift and SMOOTH	Cities and County	County	Document Name	
X	X	X	X	X	Document A: Claim Form	
X	X	X	X	X	Document B: Resolution	
	X	X		X	Document C: Productivity Improvement	
					Document D: Fiscal Reporting	
	X	X		X	Part A Proposed Operating Budget	
	X	X		X	Part B Proposed Capital Budget	
X	X	X	X	X	Document E: Project Description & RTP Conformity	
	X	X		X	Document F: Maximum Transit Allocation	
					Document G: Fare and Local Support Ratios	
	X			X	G.1 Fixed Route	
	X (not SBMTD)	X			G.2 Demand Response	
	X (not SBMTD)				G.3 Systemwide (combined)	
					Document H: Standard Assurances	
	SBMTD Only	X			H.1 Fiscal Audit	
		X			H.2 LTF ≤ 50% of CTSA's operating budget	
	X	X		X	H.3 State Controller Annual Report	
X			X		H.4 State Controller Annual Report	
	X	X		X	H.5 Retirement System Funding	
	X	X		X	H.6 Staffing of Vehicles	
	X	X		X	H.7 Budget Increase *	
	X	X		X	H.8 CHP Certification **	
	X	X		X	H.9 Fares for Senior and Disabled	
	X	X		X	H.10 Accessibility to Disabled	
	X			X	H.11 Contract for Transit Services **	
		X			H.12 Operations Plan and Budget **	
		X			H.13 Indemnify, Hold Harmless; Insurance **	
	COLT & SYVT Only				H.14 5% Demand Response	
			X		H.15 Unmet Needs *	

*attachments may be required

**attachments required

I hereby certify that I have completed all forms necessary to comply with the requirements of the Transportation Development Act.

Signature:

Date:

23-Mar-15

Submitted by:

Name: John Thornberry

Title: Administrative Services Director

E-mail: johnnt@ci.carpinteria.ca.us

Phone: (805) 684-5405 x448

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) 2015-16

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 2015-16 for the purposes and in the amount(s) specified below:

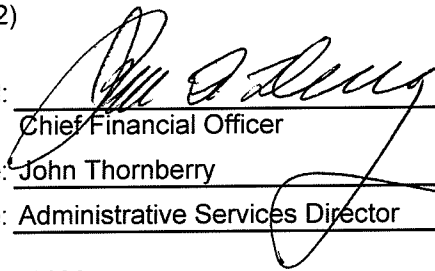
Purpose	Apportionment	Claimed
Local Transportation Fund		
Regional Transportation Planning (PUC 99262 & 99402)		\$ -
less amount released to SBCAG	minus	\$ -
8 Pedestrian & Bikeway Facilities (PUC 99234)	\$ 10,658.00	\$ 10,658.00
9 Articles 4 & 8:		
less amounts released to:		
10	minus	
11	minus	
12	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	\$ 10,658.00	\$ 10,658.00
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		\$ -
25 TOTAL TRANSPORTATION DEVELOPMENT ACT CLAIM (add lines 20 and 24)		\$ 10,658.00

DOCUMENT A (Continued)

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: 3/23/2015

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]

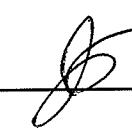
Describe how you plan to use LTF Article 8 Streets/Roads funds. Include, as applicable, type of project, construction start date, expected date of opening.

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: 9/30/2014
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]

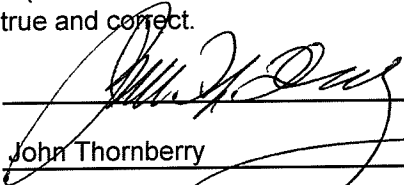
DOCUMENT H (Continued)
(Instructions on page 4-15)

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 23, 2015



City of Carpinteria

COUNCIL AGENDA STAFF REPORT March 23, 2015

ITEM FOR COUNCIL CONSIDERATION

Permit Processing Fee Waiver for Off-Leash Dog Park

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

Staff recommends that the Council grant the permit processing fee waiver request in an amount not to exceed \$4,000.

Motion: I move to waive the permit processing fees up to a maximum amount of \$4,000 for review of an off-leash dog park at 5619 Carpinteria Avenue.

BACKGROUND

A group of volunteers has been meeting to discuss and promote the idea of establishing an off-leash dog park in Carpinteria. The group is working on securing a ground lease on a 2.5-acre site owned by Venoco, Inc. at the southwest corner of Carpinteria Avenue and Dump Road. This proposed site is part of a larger parcel which includes the shorebase operations for the offshore platforms on its southern portion and is undeveloped on its northern portion (see Attachment B). The park would be privately owned and operated by a non-profit organization. With no capital funding at this time, the group is looking for support from the City in the form of waiving the permit processing fees for the Conditional Use Permit and Coastal Development Permit. The deposit amount for the required permits is \$4,655.00. Other donations and community support will be sought as the project moves through the permit process.

DISCUSSION

The City of Carpinteria does not currently have any public space where it is legal to allow dogs to be off-leash. The closest off-leash area is located at Toro Canyon Park in the County of Santa Barbara which has daily operating hours of 8:00 am to 10:00 am and 4:00 pm to sunset. Carpinteria provides recreational amenities for many different

parks users; however, a place for dogs to run is missing from an otherwise robust parks system.

Without an authorized location for off-leash dogs, Code Compliance staff often encounter off-leash dogs in areas such as the Bluffs Nature Preserve, the Salt Marsh Park and on our beaches. Off-leash dogs in these locations can adversely affect habitat areas for flora and fauna. As stated in the letter requesting a waiver from the permit processing fees, an exercised dog is a happier dog and can be better socialized, too, from the experience of playing with other dogs in a leash-free environment. Having a sanctioned location for off-leash dogs is expected to reduce the conflicts created when City parks and beaches are used by unleashed dogs.

POLICY CONSISTENCY

The Carpinteria General Plan/Local Coastal Land Use Plan (Plan) is the primary planning policy document for the City. The Plan represents the community's collective vision for preserving and improving the quality of life for residents and visitors and maintaining a vibrant economy. The goal of the community is:

...to preserve the essential character of our small beach town, its family-oriented residential neighborhoods, its unique visual and natural resources and its open, rural surroundings while enhancing recreational, cultural and economic opportunities for our citizens.

The Open Space, Recreation & Conservation Element recognizes the City's natural resources that create the environmental setting and character of the community. Basic to this principle is preservation of the City's "special resources including beaches, recreation areas, trails, marshland, creekways and agricultural land." This balance of natural resources and constructed resources contributes to the overall community experience of open space (e.g., Bluffs Preserve, Seal Rookery, Salt Marsh) and recreational resources (El Carro Park, Viola Field, Community Pool). These resources and policies to protect them are described in the Plan. Most policies address the City's natural resources, however, Objective OSC-14 and Implementation Measure 61 address the fact that recreational resources are needed for all segments of the community and its visitors.

Open Space, Recreation & Conservation Element

Objective OSC-14. *Provide for adequate park and recreation facilities to meet the needs of the community and visitors.*

Policy OSC-14a. *Increase coastal and recreational access for all segments of the population, including the disabled and elderly, while protecting natural resources, particularly environmentally sensitive habitat areas.*

Implementation Measure 61. *Support development of new or expanded park and recreation facilities as demand/need dictates. When latent demand for parks and recreation facilities is identified, adequate parkland and facilities shall be identified and pursued.*

There are nearly 900 licensed dogs in the City, making dog owners a substantial portion of the population. And, given Carpinteria's pleasant climate and beautiful open spaces, dog walking is a popular activity as evidenced by the number of dogs walked at Tar Pits Park, Viola Fields, on the local beaches and at the Bluffs Nature Preserve. An off-leash area could alleviate some of the burden placed on these locations and preserve sensitive habitats by redirecting dogs to a dedicated dog park location that does not contain any environmentally sensitive habitat area.

When demand for a specific recreational use has been identified, the City has responded with actions including construction of the Thunderbowl Roller Hockey Rink, participation in re-establishing the Franklin Trail, development of the Middle School tennis and basketball courts, an expanded Junior Lifeguard program, and kayak, surfboard and stand-up paddleboard rentals at City Beach. Most recently, the Council supported development of a skate park on City Hall property.

At this time, it appears there is an unmet need for an off-leash dog park. From time to time, the Parks and Recreation Department has received interest from community members about an off-leash park. An occasional letter to the editor is published in the Coastal View News suggesting that we need an off-leash park. However, a survey of local residents around Memorial Park showed that there is concern about the location of a dog park, with many residents suggesting that an off-leash area should not be located within a single family neighborhood. The proposed location at Dump Road and Carpinteria Avenue is abuts a multi-family development (Cypress Tree Apartments) and is adjacent to several other apartment buildings, the Motel 6 and Holiday Inn Express and other commercial uses along Carpinteria Avenue. This location will be studied for land use compatibility as part of the Conditional Use Permit review process.

The expansion of recreation opportunities available to visitors with dogs may also be found to align well with the City's economic vitality program. The City practices an asset based economic vitality program where, among other strategies, the establishment and promotion of outdoor recreation opportunities such as hiking and biking trails builds on the City's coastal location and many other natural amenities, contributing to making Carpinteria an attractive visitor destination. Many communities have implemented programs specifically aimed at creating "dog friendly" places for visitors who travel with dogs as a strategy of local economic development. These places can include restaurant dining areas for customers with dogs, dog washes and other services.

Having areas available to allow dogs to run and socialize with other dogs off-leash is also fundamental to this concept.

FINANCIAL CONSIDERATIONS

The fee waiver would allow the group to begin the process of drawing a site plan and submitting a permit application to the Community Development Department. If the costs of processing the permits are waived, staff costs would not be reimbursed by permit fees, but would instead be funded by the general fund for staff salaries. Processing the Conditional Use Permit and Coastal Development Permit will require planning staff time, administrative costs and a Planning Commission noticed public hearing. These costs are estimated to be below a maximum amount of \$4,000.

LEGAL

The Council has authority to waive the permit processing fees if it finds an off-leash dog park in the public interest.

OPTIONS

The Council could decline to grant the permit processing fee waiver and require the dog park advocates to pay the deposit amount for the required permits.

PRINCIPAL PARTIES EXPECTED AT MEETING

Marla Daily, Off-Leash Dog Park Advocate
Mary Beth Carty, Venoco, Inc.
Lee Heller, City of Carpinteria Animal Control Volunteer
Natasha Lohmus, Environmental Review Committee Public member

ATTACHMENTS

Attachment A	Letter Request from Marla Daily dated February 28, 2015
Attachment B	Map Exhibit of Potential Dog Park Site

Staff contact: Jackie Campbell, Community Development Director
805-684-5405 x451

Reviewed by: Dave Durflinger, City Manager



Signature



Signature

Attachment A

Letter Request from Marla Daily

February 28, 2015

City Council

Dog Park Permit Fee Waiver Request

March 23, 2015

February 28, 2015

RECEIVED

FEB 28 2015

**COMMUNITY DEVELOPMENT
DEPARTMENT**

City Council
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93013

Subject: Permit Processing Fees Waiver Request for Off-Leash Dog Park

Honorable Councilmembers:

A group of volunteers has been meeting to discuss and promote the idea of establishing an off-leash dog park in Carpinteria. We are in the process of securing a ground lease on a 2.5-acre site owned by Venoco, Inc. at the corner of Carpinteria Avenue and Dump Road. The park would be privately owned and operated, and we would like support from the City in the form of waiving the permit processing fees for the Conditional Use Permit and Coastal Development Permit. The deposit amount for the required permits is \$4,655.00.

As you know, the City of Carpinteria does not currently have any location where it is legal to allow dogs to run off-leash. A well exercised dog is a happier and healthier dog, and more likely to be a better neighbor than an un-exercised dog. Off-leash parks also provide an opportunity for dogs to socialize without the impediment of a leash which can limit a dog's natural movement and cause some dogs to become territorial. Carpinteria provides recreational amenities for many different parks users, however it seems that a place for dogs to romp and run is missing from an otherwise robust parks system.

With this fee waiver, we will be able to begin the processing of drawing a site plan and submitting a permit application to the Community Development Department. The permits will require review by the Planning Commission at a noticed public hearing so that all neighbors and interested persons can participate and be heard. We hope you will agree that an off-leash park will be an asset to Carpinteria and that you will grant this permit processing fee waiver request so that we may begin the process of bringing another community asset to the City.

Sincerely,

Marla Daily

Cc: Dave Durflinger, City Manager
Jackie Campbell, Community Development Director

Attachment B

Map Exhibit of Potential Dog Park Site

City Council

Dog Park Permit Fee Waiver Request

March 23, 2015





City of Carpinteria

COUNCIL AGENDA STAFF REPORT March 23, 2015

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.

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

Receive and file the report on the City's home sales prices for 2014 and set the affordable housing in-lieu fee for condominiums and single family dwellings in 2015.

Motion: Adopt Resolution No. 5600, as read by title only, setting the affordable housing in-lieu fees for condominiums and single family dwellings in 2015.

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 single family dwellings and condominiums 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 in March 2014 by Resolution No. 5513 at \$334,800 for Single Family Dwellings and \$89,800 for Condominiums. 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.

DISCUSSION

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 2014, Community Development staff accessed the County Assessor's records. The data showed the sales of 53 single family dwellings and 49 condominiums recorded in 2014 within the City of Carpinteria. The median sale price was \$775,000 for single family dwellings and \$495,000 for condominiums (see Attachments B and C for details).

As background, there were 87 single family dwellings sold in 2013 with a median price of \$775,000 and 83 condominiums sold at a median price of \$450,000. The high number of sales in 2013 was due to the sale of the 37 Lagunitas Homes single family dwellings and 25 condominiums.

County Area Median Income: The Santa Barbara County annual area median income (AMI) was recently updated from \$72,800 in 2014 to \$75,400 in 2015 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 \$75,400 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.

2015 Single Family Dwelling In-lieu Fee

\$775,000 (median 2014 SFD sale price)
minus \$456,000 (sale price for 121% of median income)
equals **\$319,000 In-lieu Fee**

2015 Condominium In-lieu Fee

\$495,000 (median 2014 condominium sale price)
minus \$373,200 (sale price for 121% of median income)
equals **\$121,800 In-lieu Fee**

City Council Resolution No. 5600 (Attachment A, Exhibits 1 and 2) shows these calculations in more detail.

POLICY CONSISTENCY

Government Code Section 65580 et. seq. mandates that the city implement programs to ensure there are sufficient sites to address the community's housing needs, offset the demand on housing created by new development, and protect the economic diversity of the city's housing stock by promoting the development of affordable housing. The city's housing element further mandates that the city adopt an inclusionary housing ordinance which has been established in Carpinteria Municipal Code Section 14.75 – Inclusionary

Housing Requirement. Setting the in-lieu fee annually is consistent with these laws and policies.

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.

LEGAL

Adoption of the In-lieu Fees set forth in Resolution No. 5600 is exempt from the provisions of the California Environmental Quality Act pursuant to 14.Cal. Code of Regulations Section 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.

OPTIONS

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

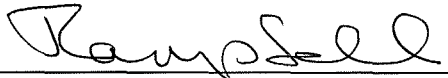
PRINCIPAL PARTIES EXPECTED AT MEETING

None.

ATTACHMENTS

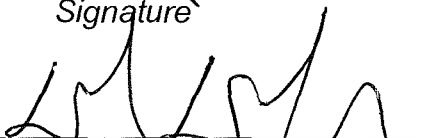
- A. Resolution No. 5600 Setting In-lieu Fees for 2015
 - Exhibit 1 - Single Family Dwelling In-lieu Fee Calculation
 - Exhibit 2 - Condominium Unit In-lieu Fee Calculation
- B. 2014 Single Family Dwelling Sales
- C. 2014 Condominium Sales

Staff contact: Jackie Campbell, Community Development Director
jackiec@ci.carpinteria.ca.us / 805-684-5405 x451



Signature

Reviewed by: Dave Durflinger, City Manager



Signature

Attachment A

City Council Resolution No. 5600

2015 In-Lieu Affordable Housing Fee

**City Council Meeting
March 23, 2015**

RESOLUTION NO. 5600

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA ADOPTING IN-LIEU HOUSING FEES FOR 2015 ASSOCIATED WITH THE INCLUSIONARY HOUSING REQUIREMENTS OF CHAPTER 14.75 OF THE CARPINTERIA MUNICIPAL CODE

WHEREAS, the City of Carpinteria adopted Ordinance No. 590 adding Chapter 14.75 of the Carpinteria Municipal Code, which establishes an inclusionary housing requirement for all new residential development of five or more units that requires 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 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 sale price of single family dwellings and the median sale 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 single family dwellings and condominiums and based on that review, adjust the in-lieu fee; and

WHEREAS, the City Council has reviewed data from the County Clerk-Recorder for 2014 and determined that the median sale 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 for single family dwellings and condominium units (Exhibits A and B) that reflect the appropriate cost of offsite housing that is affordable to households earning 121% of the area median income; and

WHEREAS, a properly noticed regularly scheduled meeting of the City Council was held on March 23, 2015 at 5:30 p.m., at the City Council Chambers located at City Hall, 5775 Carpinteria Avenue, 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 John Douglas 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 onsite.
- 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 \$319,000. The schedule of in-lieu fees that the City Council hereby adopts is attached hereto as Exhibit 1 dated March 23, 2015 and incorporated herein by reference as though set forth in full. The fee amount set forth in Exhibit 1 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 Residential Condominium Development. 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 \$121,800. The schedule of in-lieu fees that the City Council hereby adopts is attached hereto as Exhibit 2 dated March 23, 2015 and incorporated herein by reference as though set forth in full. The fee amount set forth in Exhibit 2 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 Section 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 2014 data, are \$319,000 for a single family dwelling and \$121,800 for a condominium unit as shown in Exhibits 1 and 2 attached hereto are hereby adopted.

PASSED, APPROVED AND ADOPTED this 23rd day of March 2015 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 23rd day of March 2015.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
acting as City Attorney of the City of Carpinteria

Exhibit 1

March 23, 2015

2015 In-lieu Fee Calculation Single Family Dwelling

Median Income: \$75,400

Median Sale Price for a Single Family Dwelling Sold in Carpinteria in 2014	\$775,000
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Minus	-
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Affordable Sale Price	<u>\$456,000</u>
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In-lieu Fee	\$319,000
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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*	\$95,796
Maximum Payment for Housing	\$ 2,395
Amount of Loan this will Amortize	\$410,403
Plus Down Payment	\$ 45,600
Maximum Sale Price	\$456,000

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

Exhibit 2

March 23, 2015

2015 In-lieu Fee Calculation Condominium Dwelling

Median Income: \$75,400

Median Sale Price for a Condominium Dwelling Sold in Carpinteria in 2014	\$495,000
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Minus	-
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Affordable Sale Price	<u>\$373,200</u>
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In-lieu Fee	\$121,800
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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*	\$95,796
Maximum Payment for Housing	\$ 2,395
Amount of Loan this will Amortize	\$335,862
Plus Down Payment	\$ 37,318
Maximum Sale Price	\$373,200

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

Attachment B

2014 Single Family Dwelling Sales

**City Council Meeting
March 23, 2015**

2014 Single Family Dwelling Sales

Date of Sale	Address	Bedrooms	Sale Price \$
01/03/14	5184 Cambridge Lane	3	670,000
01/15/14	5481 Granada Way	4	493,000
01/24/14	5550 Calle Ocho	2	841,000
02/12/14	4096 Via Real	2	618,500
02/20/14	1477 Andrea Street	4	655,000
02/20/14	5554 Calle Arena	2	1,000,000
03/03/14	491 Calle Dia	3	802,000
03/14/14	5586 Retorno Drive	3	1,350,000
03/27/14	1336 Vallecito Place	2	699,000
04/08/14	1144 Calle Lagunitas	3	845,000
04/10/14	5466 Granada Way	4	825,000
04/16/14	5408 Shemara Street	3	740,000
05/02/14	1330 Vallecito Place	3	625,000
05/08/14	5124 Cambridge Lane	2	675,500
05/15/14	1529 Casitas Pass Road	4	717,500
05/30/14	4941 Nipomo Drive	3	699,000
06/09/14	4640 Ninth Street	2	300,000
06/30/14	5254 Cambridge Lane	3	805,500
07/09/14	1431 Tomol Drive	3	504,000
07/15/14	4715 El Carro Lane	4	300,000
07/23/14	6375 Lagunitas Court	4	975,000
07/29/14	4905 Eighth Street	3	859,000
07/29/14	4665 El Carro Lane	5	841,000
07/30/14	5481 Granada Way	4	888,000
08/15/14	4715 El Carro Lane	4	300,000
08/18/14	4835 Third Street	3	1,275,000
09/08/14	1488 Chapparal Drive	4	775,500
09/15/14	6372 Lagunitas Court	3	1,007,500
09/16/14	1567 Meadow Circle	3	785,000
09/26/14	4953 El Carro Lane	3	949,000
10/07/14	1465 Azaela Drive	4	725,000
10/10/14	5290 Ogan Road	3	840,000
10/15/14	5151 Ogan Road	2	265,000
10/17/14	1365 Chaney Avenue	4	599,000
10/22/14	690 Olive Avenue	3	865,000
10/24/14	5592 Calle Ocho	3	880,000
10/31/14	1151 Church Lane	3	920,000
11/07/14	1364 Cramer Circle	4	605,000
11/07/14	4885 Nipomo Drive	3	550,000
11/13/14	1531 Nantucket Court	2	825,000
11/18/14	5202 El Carro Lane	4	820,000
11/20/14	580 Calle Dia	3	925,000
11/20/14	4879 Dorrance Way	2	721,000
11/21/14	1166 Vallecito Road	3	653,000
11/21/14	1346 Sterling Avenue	3	640,000
11/26/14	1227 Vallecito Road	3	615,000
12/05/14	4767 Sterling Way	2	775,000
12/09/14	496 Concha Loma Drive	3	925,000
12/09/14	1414 Limu Drive	3	660,000
12/09/14	496 Concha Loma Drive	3	925,000
12/11/14	1346 Sterling Avenue	3	640,000
12/12/14	5005 Pacific Village Court	4	899,000
12/12/14	4879 Dorrance Way	2	721,000
Median Sales Price			775,000

Attachment C

2014 Condominium Sales

**City Council Meeting
March 23, 2015**

2014 Condominium Sales

Date of Sale	Address	Bedrooms	Sale Price \$
01/10/14	4355 Carpinteria Avenue #2	1	236,500
03/12/14	1045 Palmetto Way #C	3	470,000
03/27/14	5455 Eighth Street #1	3	460,000
03/28/14	4407 Catlin Circle #D	3	575,000
03/31/14	1220 Franciscan Court #7	3	445,000
04/10/14	1264 Cravens Lane #1	2	660,000
04/14/14	4860 Sawyer Avenue	3	550,000
04/15/14	4975 Sandyland Road #308	2	950,000
04/15/14	1280 Franciscan Court #6	2	430,000
04/18/14	4515 Carpinteria Avenue #G	2	579,000
04/22/14	1012 Palmetto Way #A	2	449,000
04/23/14	5986 Birch Street #1	2	260,000
05/01/14	4505 Carpinteria Avenue #I	3	675,000
05/06/14	1062 Palmetto Way #A	2	430,000
05/21/14	5455 Eighth Street #2	3	499,000
05/30/14	4297 Carpinteria Avenue #12	3	905,000
06/03/14	5981 Hickory Street #2	2	353,500
06/20/14	5455 Eighth Street #81	2	430,000
06/23/14	5446 Eighth Street #18	2	580,000
07/08/14	4297 Carpinteria Avenue #11	3	895,000
07/09/14	4505 Carpinteria Avenue #F	3	684,000
07/15/14	4880 Sandyland Road #27	1	395,000
07/16/14	4980 Sandyland Road #216	2	580,500
07/16/14	4692 Carpinteria Avenue #7	3	492,000
07/31/14	5956 Via Real #2	2	325,000
08/08/14	4822 Sawyer Avenue	2	530,000
08/28/14	4234 Carpinteria Avenue #3	3	570,000
08/29/14	5940 Via Real #3	2	104,000
08/29/14	231 Linden Avenue #5	1	490,000
09/03/14	4975 Sandyland Road #312	2	880,000
09/05/14	4297 Carpinteria Avenue #2	2	590,000
09/30/14	1245 Franciscan Court #5	3	580,000
10/03/14	4240 Carpinteria Avenue #3	2	425,500
10/06/14	4700 Sandyland Road #51	2	799,000
10/08/14	1231 Franciscan Court #4	2	595,000
10/10/14	1245 Franciscan Court #6	3	502,000
10/17/14	4692 Carpinteria Avenue #8	2	472,500
10/29/14	4902 Sandyland Road #139	1	525,000
11/07/14	6051 Jacaranda Way #F	3	485,000
11/14/14	4527 Carpinteria Avenue #D	2	530,000
11/18/14	5956 Birch Street #1	2	317,000
11/19/14	5915 Birch Street #1	2	346,500
12/05/14	4692 Carpinteria Avenue #1	2	483,000
12/10/14	1260 Cravens Lane #2	2	635,000
12/12/14	1048 Palmetto Way #H	2	437,500
12/16/14	1240 Franciscan Court #5	2	449,000
12/17/14	4336 Eighth Street #5	2	495,000
12/19/14	1280 Franciscan Court #3	3	499,000
12/29/14	5455 Eighth Street #89	2	400,000
Median Sales Price			495,000



City of Carpinteria

COUNCIL AGENDA STAFF REPORT March 23, 2015

ITEM FOR COUNCIL CONSIDERATION

Review of the 2014 Annual Report to the State Department of Housing and Community Development on the status of the Housing Element and progress on implementation of its goals, policies and objectives.

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

Receive Annual Report on the status of the Housing Element Program Implementation

Motion: I move to accept the Annual Report on the status of the Housing Element Program implementation and direct the Community Development Director to submit the document to the State Department of Housing and Community Development.

BACKGROUND

Pursuant to California State law, each City and County is required to prepare an Annual Report to its legislative body on the status of the Housing Element and progress on its implementation. The law requires that a copy of the Annual Report be submitted to the State Department of Housing and Community Development (HCD) at the same time it is submitted to the legislative body. In compliance with state housing law, the Community Development Department will submit the report to the State once accepted by your Council.

DISCUSSION

The format and content of the Annual Housing Element Report has been prepared in accordance with the State's submittal requirements. The City Council adopted Resolution No. 5556 approving an updated Housing Element on November 10, 2014. The updated Housing Element is in effect for the 2015 through 2023 planning period. This report provides a summary of housing program implementation for the 2014 calendar year which falls within the 2009 - 2014 planning period.

In 2014, the City of Carpinteria issued building permits for the Casas de Las Flores Apartments (43 units) and the Faith Lutheran Parsonage.

The following tables are excerpted from the 2014 Housing Element Annual Progress Report and follow the required format established by the State Housing and Community Development Department.

Table I: New Residential Units Completed in 2014
(Issued Certificates of Occupancy)

Project Name	Address	Units	Income Category
Damiani Residence	1137 Church Lane	1	Above Moderate
Vernon Duplex	4860 and 4870 Fifth Street	2	Above Moderate
Total Residential Units Completed In 2014:		3 (net gain = 2)	

Table II: Residential Units Building Permits Issued in 2014
(Not Completed in 2014)

Project Name	Address	Units	Income Category
Faith Lutheran Parsonage	5110 Ogan Road	1	Above Moderate
Casas de Las Flores Apartments	4070, 4074, 4078, 4080, 4088, 4090, 4098 Via Real	42 1	Very Low / Low Above Moderate
Total Residential Units Approved in 2014:		44 (net gain = 44)	

Figure 1

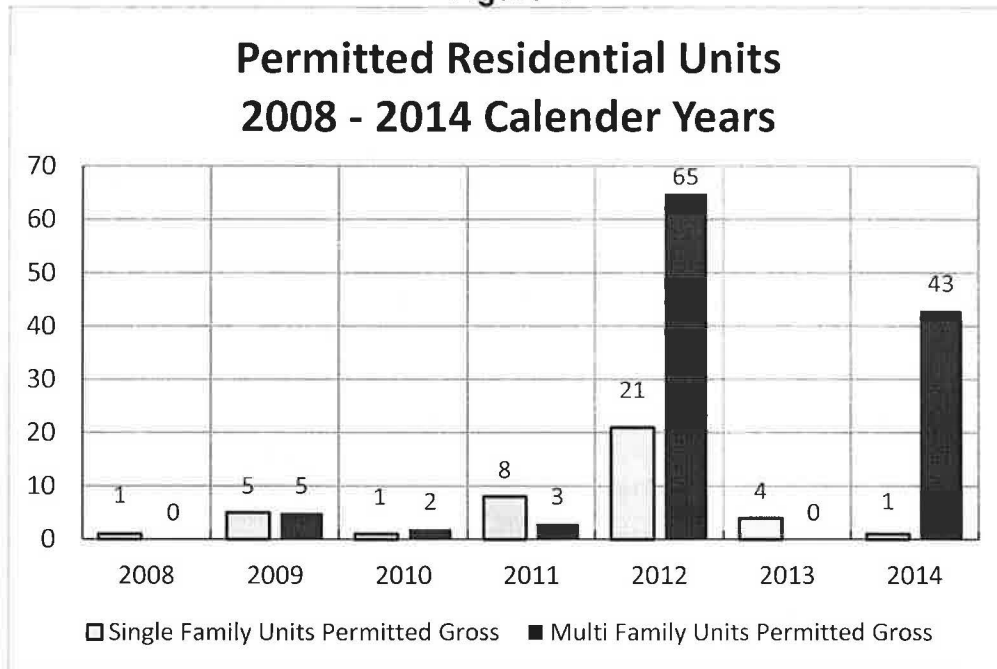


Figure 2



The Annual Housing Element Progress Report shows that the City has effectively implemented its Housing Element by supporting the development of housing for various economic income groups and partnering with housing providers like Peoples' Self-Help Housing to ensure that much needed low income rental housing is available in Carpinteria. Additionally, the report shows the City's commitment to supporting special needs populations through Community Development Block Grants (CDBG) issued to public service groups. An example of this is funding for Peoples' Self-Help Housing through the CDBG grant program for housing services and case management to households at-risk of homelessness and directly to homeless individuals seeking permanent housing. It also shows the City's commitment to supporting housing and the quality of life in Carpinteria through implementation of the Inspection on Sale Program, the Single Family Rental Housing Inspection Program and through funding the Rental Housing Mediation Task Force (administered by the City of Santa Barbara). All of these efforts are made in support of implementing the City's Housing Element and providing safe and adequate housing for all Carpinterians.

POLICY CONSISTENCY

The attached Annual Housing Element Progress Report includes a detailed discussion of the City's compliance with its Housing Element policies and goals through the implementation of various housing programs (see Attachment A) throughout calendar year 2014.

FINANCIAL CONSIDERATIONS

There is no financial impact to the City as a result of submitting this report.

LEGAL

Upon submittal of this document to HCD, the City will have complied with California planning law pursuant to section 65400(b)(1) of the Government Code.

OPTIONS

1. Recommend changes and direct staff to return a revised Annual Report for further review.
2. Recommend changes be incorporated into the Annual Report and authorize the Community Development Director to submit the revised Report to HCD.

PRINCIPAL PARTIES EXPECTED AT MEETING

None.

ATTACHMENT

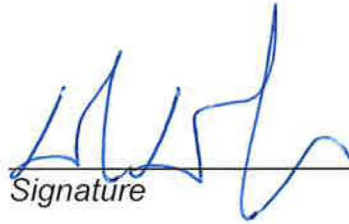
Attachment A 2014 Annual Housing Element Progress Report (March 2015)

Staff contact: Jackie Campbell, Community Development Department Director
(805) 684-5405 x451/jackiec@ci.carpinteria.ca.us



Signature

Reviewed by: Dave Durflinger, City Manager



Signature

Attachment A

2014 Annual Housing Element Progress Report (March 2015)

City of Carpinteria



2014 Housing Element Annual Progress Report



March 2015

INTRODUCTION

Pursuant to section 65400 of the Government Code, Community Development Department staff prepares an annual report to the City Council on the status of the General Plan and its Elements and progress being made in implementation. This is an opportunity to review activities and projects of the prior year in the areas of housing development and other programs that implement the City's Housing Element. The City's Housing Element identifies community housing needs and describes how safe, affordable housing can be provided and maintained for City residents. Included in this report are statistics demonstrating progress in meeting regional housing needs.

The 2009 - 2014 Housing Element was adopted by Resolution No. 5334 by the City Council on September 12, 2011. The State Department of Housing and Community Development certified the Housing Element on October 7, 2011. This update complies with the Housing Element planning period from September 1, 2009 through June 30, 2014 and includes information related to housing in Carpinteria for the 2014 calendar year.

2014 Housing Highlights

In 2014, construction was completed on three new residential units. This resulted in a net gain of two new residential units for the City. Site development plans for these units were reviewed by the City's Architectural Review Board and Planning Commission to ensure that residences were designed to be compatible with existing residential development in the community. Tables I – IV on pages 9 and 10 of this report include a breakdown of new and replaced residential units.

City staff continued to work closely with Peoples' Self-Help Housing on the Casas de Las Flores Apartments. This 43-unit affordable development will provide housing for low and very low income households. The apartment units and community center will replace 47 travel trailers that had provided temporary housing. The Planning Commission approved the project in December 2010. Construction commenced in April 2014 and is expected to be completed in September 2015.

In November 2014, the City Council adopted Resolution No. 5556 and approved an updated Housing Element, which provides an assessment of the City's housing needs, future goals and development strategies for the years 2015 - 2023. The resolution complies with the State Department of Housing and Community Development's requirement for municipalities within the Santa Barbara County Association of Governments (SBCAG) to update their housing elements every eight years and is consistent with the City's General Plan.

The City continues to provide various forms of assistance to increase housing opportunities in Carpinteria. In 2014, staff continued to develop the Workforce Housing Down Payment Loan Program. The program is funded by the 2011 Development Agreement that allowed the conversion of five affordable residential units at Lavender Court to a payment of \$571,000 to the City's Affordable Housing Trust Fund. Like an in-lieu fee, the funds are used to provide down payment loans for families purchasing homes in the City of Carpinteria. During 2014, one loan was approved (one loan was previously approved in 2013). Staff continues to work with the Housing Trust Fund of Santa Barbara County to find

interested buyers looking to use the deferred repayment loans to help buy homes in Carpinteria.

Housing Element Review

The Housing Element is organized into two sections that describe the goals and objectives of the City in addressing the community's housing needs. The Housing Element also includes Technical Appendices with detailed information to document compliance with the Government Code. Section 2 of the Housing Element is organized by the five primary program categories which are to be implemented during the planning period. The document also contains a Housing Program which describes 21 specific programs the City implements to realize the goals of the Housing Element. This report explains the housing programs and goals and how the City implemented them throughout 2014.

Program Category 1: Adequate Housing Sites - Actions to make sites available to accommodate RHNA.

Housing Needs Summary

The Santa Barbara County Association of Governments (SBCAG) allocated a housing need to the City of 305 housing units for the 2007 - 2014 Housing Element cycle. Housing Element Table 2-3 below shows the City's share of the regional housing need across five income categories.

*Housing Element Table 2-3
Share of Regional Housing Needs
January 1, 2007 - June 30, 2014*

<i>Income Category</i>	<i>2007 - 2014</i>	
	<i>Number</i>	<i>Percent</i>
<i>Extremely Low</i>	<i>33</i>	<i>10.8%</i>
<i>Very Low</i>	<i>37</i>	<i>12.1%</i>
<i>Low</i>	<i>52</i>	<i>17.1%</i>
<i>Moderate</i>	<i>55</i>	<i>18.0%</i>
<i>Above Moderate</i>	<i>128</i>	<i>42.0%</i>
<i>Total</i>	<i>305</i>	<i>100.0%</i>

Goals

- Attain additions to the housing supply that meet the housing needs of all economic segments.*
- Maintain a jobs-housing balance or ratio within the .75 to 1.25 range suggested by the Santa Barbara County Association of Governments.*

Policies

- Adequate Sites: Provide sufficient sites in the General Plan/Coastal Plan and zoning map to meet the housing needs allocated to the City by the Regional Housing Needs Allocation (RHNA) Plan 2007 - 2014.*

- *Housing Types: In the General Plan/Coastal Plan and implementing ordinances provide for a mix of housing types consistent with the City's needs, including single family detached and multiple family housing.*
- *Public Services and Facilities: Ensure that public services and facilities have the capacity to support the need for the new residential development allocated to the City by the Regional Housing Needs Assessment.*

Result

The City keeps an inventory that details the amount, type and size of vacant parcels to assist developers in identifying land suitable for residential development. The City also reports on the number of extremely low, very low, low and moderate income units constructed annually. If the inventory indicates a shortage of available sites, the City will rezone or identify new sites sufficient to accommodate the City's RHNA. The City also works with developers to ensure that appropriate lot densities are used when planning new development.



In 2014, one building permit was approved for a new single family residence that commenced construction in 2014. The Faith Lutheran Parsonage will be a 2,219 square foot modular home with attached garage.

Faith Lutheran Parsonage Under Construction

Two infill housing developments were completed in 2014: the Damiani residence at 1137 Church Lane and the Vernon Duplex at 4850 Fifth Street. The Damiani residence was built on a formerly vacant lot and the Vernon duplex replaced an existing single family dwelling that was demolished.



Damiani Residence

Program Category 2: Assist in the development of adequate housing to meet the needs of extremely low, very low, low and moderate income households.

Goals

- *Attain a housing supply that meets a variety of housing needs.*
- *Attain a housing supply that meets the needs of extremely low, very low, low and moderate-income households.*
- *Attain a housing supply that meets the needs of special population groups.*

Policies

- *Infill Development: Promote infill housing development through land use policies and by deferring or reducing development impact fees where the City wants to encourage infill development.*
- *Infill Development: Promote the development of second units consistent with the State law and the City's second unit ordinance.*
- *Housing Unit Sizes: Provide for a range in the number of bedrooms in assisted housing developments so as to help meet the needs of various household types and special needs populations.*
- *Housing Unit Sizes: Encourage studio and one bedroom units above commercial uses in the downtown district to reduce parking needs and facilitate affordability.*
- *Rental Assistance: Continue participation in the County of Santa Barbara's Housing Authority's Section 8 program as the primary means to address the City's rental assistance needs.*
- *Rental Assistance: Allocate HOME funds and In-lieu Fees to state and federally assisted housing that provides rent restricted units in existing and/or new residential developments.*
- *Acquisition and Rehabilitation of Rental Housing: Work with non-profit sponsors to acquire and rehabilitate rental housing units in order to maintain long-term affordability of the units. This will include, but not be limited, to: (a) technical support needed to obtain funding commitments from county, state and/or federal programs; (b) assistance in permit processing; (c) possible deferral, reduction or waiver of City fees; and (d) contribution of City housing funds, if available.*
- *Critical Workforce Housing: Implement "set-aside" policies for critical workforce occupations. New housing developed through the Inclusionary Housing Ordinance, current and future Development Agreements and other appropriate Housing Element programs should set aside a percentage of the units for households employed in critical workforce occupations. Examples of critical workforce occupations are law enforcement, firefighters, nurses, teachers and local government.*
- *Farm Employee and Supportive Housing: Allocate In-lieu Fees for predevelopment activities, including state and/or federal funding applications, to support the sponsors of farm employee housing and supportive housing for special needs populations.*
- *Shelter for the Homeless: Support countywide programs to provide for a continuum of care for the homeless including emergency shelter, transitional housing, supportive housing and permanent housing.*

- *Homeless Persons and Families: Allocate CDBG funds to agencies assisting homeless persons and families to meet shelter and non-shelter needs.*

Result

To address the needs of low income households, the City worked with Peoples' Self-Help Housing to reserve HOME and Community Development Block Grant (CDBG) funds to assist in the acquisition and redevelopment of a blighted property located at 4096 Via Real. Construction commenced in April 2014 on the Casas de Las Flores Apartments which consists of a 43-unit multi-bedroom, multi-family apartment complex and community center. This project will meet the City's objective of providing additional affordable rental housing to low and very low income households. Construction is expected to be complete in September 2015.



Casas de Las Flores Apartments

Also within Program Category 2, the Community Development Department implements the Second Unit Program which allows development of secondary dwelling units in the Single Family Residential Zone District. The program allows owners of lots greater than 8,000 square feet in size to be eligible to construct second dwelling units. The program applies to 528 single family residential lots which have adequate lot sizes and do not already enjoy second units. In years past, an average of two second units were permitted annually. During the 2014 period, no new second units were requested or permitted. The City's 2015 – 2022 Housing Element addresses this issue and recommends that the second units development standards are reviewed to ensure that there are no governmental constraints to the development of second units. These development standards will be reviewed in the context of the City's comprehensive Zoning Code Update. One standard that was discussed was amending the Zoning Code to allow development of second units on lots smaller than 8,000 square feet. This option would make properties eligible to take advantage of the program. The City will continue to educate interested property owners about second unit opportunities.

Program Category 3: Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement and development of housing.

Goals

- *Address, and to the extent legally possible, mitigate and/or remove governmental constraints to the maintenance, preservation, improvement and development of housing.*
- *Implement land use regulations that facilitate meeting affordable housing needs.*

Policies

- *Expedite Affordable Housing Development Review: Affordable housing developments shall receive the highest priority and efforts by staff, the Planning Commission and City Council to: (a) provide technical assistance to affordable housing developers, including community involvement; (b) take into account project funding and timing needs in the processing and review of the applications; and (c) provide the fastest turnaround possible in determining application completeness.*
- *Fee Mitigation: Permit on a case-by-case basis fee reductions and waivers to help owner-builder projects, projects with minimum public service impacts, retrofitting projects and affordable housing developments.*

Result

The City has implemented a 50% Development Impact Fee reduction for 100% affordable housing development, to assist in removing governmental constraints to the development of affordable housing. This reduction was applied for both the Dahlia Court and Casas de Las Flores Apartments sites.

Additionally the City met with Habitat for Humanity representatives to consider development of a property located at 4949 Sawyer Avenue to provide affordable ownership units. The project was reviewed by the Architectural Review Board in February 2014 at the conceptual design phase and will likely be submitted for permitting in spring 2015. As with Peoples' Self-Help Housing, partnering with Habitat for Humanity will help the City provide more affordable housing options.



**Habitat for Humanity Conceptual Drawing
Sawyer Avenue Elevation**

Program Category 4: Conserve and improve the condition of the existing stock of affordable housing.

Goals

- *Conserve existing housing important to the community such as apartment rental housing, mobile home parks, and the affordable housing stock.*
- *Maintain the affordability of all existing and future affordable housing developments.*
- *Attain a housing supply free from substandard and deteriorated housing conditions.*

Policies

- *Section 8 Housing: Maintain the numbers of extremely low, very low and low income households that are assisted by the Section 8 rental assistance program.*
- *Apartment Conservation: Conserve apartment rental housing by prohibiting the conversion to condominium ownership unless the apartment rental vacancy rate is more than 5%.*
- *Mobile Homes, Mobilehome Parks and Manufactured Housing: Conserve mobilehomes, mobilehome parks and manufactured housing as an essential part of Carpinteria's housing supply.*
- *Mobile Home Rents: Continue the Mobile Home Park Rental Stabilization ordinance.*
- *Occupancy Inspections: Conduct occupancy inspections for code requirements for single family residential units and apartment structures when they are sold.*
- *Long-Term Housing Affordability: Establish resale controls and income restrictions to ensure that affordable housing provided through the Inclusionary Housing Program remains affordable over time to the income group for which it is intended.*
- *Maintenance and Repair: Promote the maintenance and repair of owner-occupied and rental housing to prevent deterioration within the City.*
- *Housing Rehabilitation: Facilitate the rehabilitation of substandard and deteriorated housing where feasible.*
- *Housing Replacement: Where possible, promote the removal and replacement of those substandard units that cannot be rehabilitated.*
- *CDBG Rehabilitation: Allocate CDBG funds to multi-family rehabilitation programs and retrofitting of existing housing.*
- *Acquisition and Rehabilitation of Rental Housing: Work with non-profit sponsors to acquire and rehabilitate rental housing units in order to maintain long-term affordability of the units. This will include, but not be limited to: (a) technical support needed to obtain funding commitments from County, State and/or Federal programs; (b) assistance in permit processing; (c) possible deferral, reduction or waiver of City fees; and (d) contribution of City housing funds, if available.*

Result

Seven mobile home parks provide housing in the City with a total of 860 mobile home park spaces. Mobile homes are generally affordable by design. The City's Mobile Home Rent Stabilization regulations aim to protect the value of mobile homes for tenants of rental parks. The City also allows manufactured homes to be constructed in all residential zones which may reduce construction costs.

The City completed 44 Inspection on Sale Reports and 47 Single Family Rental Housing Inspections in 2014 (conducted every three years to ensure rental properties are properly maintained). Ongoing Inspections of residential unit sales and rental units serve to maintain and improve the living standard of some of the City's aging rental housing stock and those units being sold on the open market or through foreclosure proceedings. The City continually promotes rehabilitation of substandard residential properties and mandates repairs and renovations as required by the Building Code. For example, in 2014 Code Compliance inspections continued at the Casa del Sol Motel and Apartments, Cypress Tree Apartments, Tomarla Apartments, La Concha Apartments and Sycamore Apartments. These inspections and follow-on citations for conditions that are not in non-compliance with Uniform Building Code and Housing Code standards, lead to improved site upkeep, general maintenance and serve to prevent public nuisance concerns in the neighborhood.

Program Category 5: Promote housing opportunities for all persons.

Goals

- *Attain a housing market with "fair housing choice," meaning the ability of persons of similar income levels regardless of race, color, religion, sex, national origin, disability and familial status to have available to them the same housing choices.*

Policies

- *Promote Fair Housing: Promote fair housing opportunities through the City's participation in the County's Community Development Block Grant Program.*
- *Information and Referral: Promote fair housing through the provision of information and referral services to residents who need help on fair housing issues. This includes referring local residents who want to file a housing discrimination complaint to the appropriate local, county, state or federal agency, depending on the nature of the complaint.*
- *Fair Housing Information: Implement activities to broaden resident knowledge of fair housing law. Specific actions include:*
 - *Provide written material at public locations.*
 - *Provide written material on the City's website.*
 - *Make information available to property owners and tenants on their rights, responsibilities, and the resources available to address fair housing questions.*
 - *Work with non-profit and service organizations to distribute information to the public.*

Result

The City continues to fund services provided by the City of Santa Barbara Rental Housing Mediation Task Force (RHMTF). The RHMTF provides dispute resolution resulting from landlord, tenant and roommate issues which arise in rental housing situations. The primary goal of the program is to provide an alternative to the formal judicial system and provide legal advice and mediation when disputes arise. The program provides free legal assistance for residents living at or below the poverty line, while also providing general social service guidance for those with disabilities, seniors and victims of domestic violence.

During 2014, the RHMTF provided service to 84 Carpinteria tenants and landlords regarding issues related to rental housing. In 2014, the RHMTF began outreach programs in Carpinteria to educate local residents about tenant/landlord rights and to answer housing questions. The program shows success in preventing litigation through mediation and conflict resolution.

**Table I: New Residential Units Completed in 2014
(Issued Certificates of Occupancy)**

Project Name	Address	Units	Income Category
Damiani Residence	1137 Church Lane	1	Above Moderate
Vernon Duplex	4860 and 4870 Fifth Street	2	Above Moderate
Total Residential Units Completed in 2014:		3 (net gain = 2)	

**Table II: Residential Units Building Permits Issued In 2014
(Not Completed in 2014)**

Project Name	Address	Number of Units	Income Category
Faith Lutheran Parsonage	5110 Ogan Road	1	Above Moderate
Casas de Las Flores Apartments	4070, 4074, 4078, 4080, 4088, 4090, 4098 Via Real	43	Very Low / Low (42) Above Moderate (1)
Total Residential Units Approved in 2014:		44 (net gain = 44)	

**Table III: Regional Housing Needs Allocation (RHNA) Progress
(Based on Building Permit Issuance Date)**

Income Group	2007-2014 RHNA	Units Added 2007	Units Added 2008	Units Added 2009	Units Added 2010	Units Added 2011	Units Added 2012	Units Added 2013	Units Added 2014	Total Units Approved
Extremely Low	33	0	0	0	0	0	0	0	5	5
Very Low	37	0	0	0	0	0	2	0	28	30
Low	52	0	0	0	0	0	31	0	9	40
Moderate	55	0	0	0	0	0	0	0	0	0
Above Moderate	128	24	56	11	8	11	54	4	2	170
TOTAL	305	24	56	11	8	11	87	4	44	245

Table IV: Constructed Units

Year	Units Completed (Certificate of Occupancy)
2007	28
2008	61
2009	11
2010	8
2011	13
2012	9
2013	112
2014	3
TOTAL	245

Conclusion

The Housing Element Annual Progress Report illustrates activities undertaken by the City of Carpinteria in 2014 that improved the quality and quantity of market rate and affordable housing in Carpinteria. As required by state law, the 2009 Housing Element Update was completed and certified in 2011. Given the success of Carpinteria's program, many of the affordable housing strategies were continued into the 2015 - 2023 Housing Element with modifications made as necessary to meet the City's regional housing needs. The City remains in compliance with Housing Element Law by adoption of its Housing Element update in late 2014. The City's 2015 Annual Progress Report will discuss the City's efforts to implement its 2015 – 2023 Housing Element.

Attachment 1 - Annual Housing Element Implementation

Attachment 1

Department of Housing and Community Development Annual Housing Element Implementation

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of Carpinteria
Reporting Period 1/1/2014 - 12/31/2014

Table A
Annual Building Activity Report Summary - New Construction
Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information								Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions	
1	2	3	4				5	5a	6	7	8
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low- Income	Low- Income	Moderate- Income	Above Moderate- Income			See Instructions	See Instructions	
Faith Lutheran Church Parsonage (5110 Ogan Road)			1				1	1			
Casas de Las Flores (4070 - 4098 Via Real)			1				3	43	LIHTC / HUD Sect	43	
(9) Total of Moderate and Above Moderate from Table A3			0				44				
(10) Total by income Table A/A3			33	9		46	4	44			
(11) Total Extremely Low-Income Units*											

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Carpinteria
Reporting Period 1/1/2014 - 12/31/2014

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate						0	
No. of Units Permitted for Above Moderate	1	0	43			44	44

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Carpinteria
Reporting Period 1/1/2014 - 12/31/2014

Table B
Regional Housing Needs Allocation Progress
Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example			2007	2008	2009	2010	2011	2012	2013	2014	2015	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		RHNA Allocation by Income Level	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed Restricted Non-deed restricted	70						2		33		35	35
Low	Deed Restricted Non-deed restricted	52						31		9		40	12
Moderate	Deed Restricted Non-deed restricted	55						0					55
Above Moderate		128	24	56	11	8	11	54	4	2		170	-42
Total RHNA by COG Enter allocation number		305											
Total Units			24	56	11	8	11	87	4	44		245	96
Remaining Need for RHNA Period													

Note, units serving extremely low-income households are included in the very low-income permitted units totals.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of Carpinteria

Reporting Period 1/1/2014 - 12/31/2014

Table C
Program Implementation Status

Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
Program Description (By Housing Element Program Names)			
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
1. Second Unit Program	Ongoing	Ongoing	Four second units were permitted in '07 and '08. Since, no new second units have been permitted. The 2015 - 2023 Housing Element Update addresses this issue and proposes implementation measures to encourage second unit development.
2. Energy Conservation Program	Adoption and Implementation of Energy Conservation Measures	Q1 2010 - Q2 2012	The City continues to provide residents and property owners with information on conserving energy and use of green energy sources like solar power. The City will continue to work towards adopting an "energy conservation plan."
3. No Net Loss Program	Maintain Capacity and Affordability	Ongoing	The City continues to inform housing developers and property owners about opportunities to maximize housing units on their sites to accommodate RHNA implementation.
4. Section 8 Rental Assistance Program	87 Units for Lower Income Households	Ongoing	The City continues to work with the Housing Authority of the County of Santa Barbara which administers the Section 8 Program. The City also assists the HACSB in their Five-Year and One Year Action Plans to increase number of residents served.
5. Affordable Rental Housing Program	102 Lower Income Housing Units	2009-2014	The City continues to assist in the development of three affordable housing programs sponsored by Peoples' Self-Help Housing. Dahlia Court Apartments Expansion, 33 units completed in 2013 and Casas de Las Flores, 44 units under construction in 2014.
6. Inclusionary Housing Program	26 Inclusionary Housing Units	2009-2014	The City permitted 11 inclusionary units at Lagunitas Homes which were completed and sold to upper moderate income households in 2013.
7. Revise Density Bonus Procedures	Adoption of Revised Procedures	Q4 2011	The City will continue to work on the Zoning Code Update to implement the revised State law as described in Government Code Sections 65915 - 65918. This will be completed in 2015.
8. Regulatory Concessions and Incentives Program	Adoption of Density Bonus Parking Standards	2009-2014	The City will continue to provide concessions and incentives for projects that provide units for the targeted income groups or where zoning requirements can be modified to encourage more affordable units.
9. Fee Mitigation Program	Ongoing Program Implementation	2009-2014	The City Council considers fee reductions and waivers for affordable housing. Dahlia Court and Casas de Las Flores each received a 50% Development Impact Fee reduction for providing 100% affordable apartments for a minimum 55-year affordability term.
10. Special Needs Housing Program	Adoption of Zoning Code Amendments	Q3 2012	The City Council modified the Zoning Code in 2014 to include language to allow transitional and supportive housing and single room occupancy units. The Zoning Code modifications will be processed in 2015 by the
11. Emergency Shelter Program	Amend Zoning Code to Permit Shelters in the M-RP Zone	Q3 2012	The City Council modified the Zoning Code to include language to allow emergency and transitional shelters in the M-RP Zone. The Zoning Code modifications will be processed by the Coastal Commission in 2015.
12. Housing for the Disabled Zoning Code Amendment	Adoption of Zoning Code amendments	Q4 2011	The City will modify the Zoning Code to include new definitions and language to address families and licensed residential care facilities. The Zoning Code modifications will be processed in 2014.
13. Conservation of Mobile Home Parks	Conserve seven parks and 860 mobile homes	2009-2014	The City continues to maintain the Mobile Home Park Zoning with no change to the number of mobile home parks through the 2013 period. The City continues to implement the Mobile Home Rent Stabilization Program and met in 2013 to implement the requirements to review and approve rents at local mobile home parks.
14. Condominium Conversion Ordinance	Conserve existing rental housing	2009-2014	The City continues to maintain the Condominium Conversion Zoning and did not receive any applications for conversions during the 2013 period.
15. Inspection on Sale Program	40 inspections per year	2009-2014	The City conducted 44 Inspection on Sale inspections in 2014.
16. Rental Housing Inspection Program	50 inspections per year	2009-2014	The City conducted 47 Single Family Rental Housing Inspections in 2014.
17. Housing Code Enforcement Program	Complete 90 housing unit inspections	2009-2014	The city conducted ## inspections on housing code violations in 2014. Building Permits were issued to resolve ## residential violations and ## garage conversions were abated.
18. Single Family Housing Rehabilitation	Five low income owner-occupied housing units	2009-2014	No known rehabilitation projects. The City will improve information and outreach to single family home owners regarding loans to help rehabilitate homes.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Carpinteria
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19. Multi-family Rehabilitation	Nine low income renter-occupied housing units	2009-2010	The City supported allocation of \$1,279,957 of HOME funds to the Casas de Las Flores Apartments. Construction commenced in 2014.
20. Fair Housing Referral Program	Ongoing implementation of current referral program	2009-2014	The City continues to refer tenants and landlords to the Rental Housing Mediation Task Force (RHMTF) for assistance with disputes regarding rental housing. In 2014, the RHMTF conducted mediation services for 87 tenants/landlords in Carpinteria.
22. Fair Housing Information	Develop information by Q4 2010	2010-2014	The City continues to provide information and regulatory advice about housing. Information is provided in brochures available at City Hall, on the City website and in other public facilities.
23. Annual Fair Housing Workshop	Conduct work- shops annually Conduct first workshop by winter 2012	2012-2014	The City continues to work with the Rental Housing Mediation Task Force to plan workshops and outreach in the City and surrounding areas to implement this requirement. The RHMTF has planned workshops regarding tenant rights in 2015.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Carpinteria
Reporting Period 1/1/2014 - 12/31/2014

General Comments:

Please see the City's 2014 Housing Element Annual Progress Report for information on the City's efforts and successes in implementing its Hosuing Element.



City of Carpinteria

COUNCIL AGENDA STAFF REPORT March 23, 2015

ITEM FOR COUNCIL CONSIDERATION

A report on railroad transportation of crude oil and other hazardous materials, and sending a letter to the U.S. Department of Transportation, and other federal representatives, to advocate for safety improvements.

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

1. Receive the report on railroad transportation of crude oil and other hazardous materials; and,
2. Approve and authorize the Mayor to sign, on behalf of the City Council, the proposed letter to the U.S. Department of Transportation and other appropriate federal and state agencies and representatives.

Motion: I move to receive the report and approve and authorize the Mayor to sign, on behalf of the City Council, the letter to the U.S. Department of Transportation and other federal and state agencies and representatives, as determined appropriate by City staff.

BACKGROUND

At the February 23, 2015 City Council meeting, the Council requested an agenda item at a future meeting to discuss oil transport by rail. The topic of oil transport by rail has come under public scrutiny as a result of a series of major accidents, a related increase in news media coverage and the identification by numerous government agencies of inadequacies in rail safety standards related to hazardous materials transportation.

Through local emergency planning efforts, threats and hazards that could potentially impact Carpinteria have been identified, including various types of natural disasters, technological and intentional incidents, and national security emergencies. Train derailments are one identified threat in our community.

In June 2014, the State of California Interagency Rail Safety Working Group released a document titled "Oil by Rail Safety in California: Preliminary Findings and

Recommendations”, (attached). In this document, the working group identified several findings from their research that identified why the transport of oil by rail has become an increasing issue in the state. Their findings highlight the increase in the transport of oil by rail, the increase in the number of accidents involving the transport of oil by rail, the increase in the intensity of incidents involving crude oil from the Bakken shale formation and numerous deficiencies in the regulation of rail safety as being critical factors that need to be addressed.

According to their findings:

- Crude oil imports by rail jumped 506% in California from 2012 to 2013 with a further increase of 25% projected by 2016. In 2012, one million barrels came by rail. In 2013, 6.3 million barrels came by rail.¹
- There has been a dramatic increase in the number of incidents involving crude oil by rail. The working group found that, in California, 3 incidents occurred in 2011, with 25 reported in 2013 and 24 occurring during the first half of 2014.
- Incidents have been particularly devastating that involved crude oil from the Bakken shale formation.² In July 2013, 47 people were killed in Quebec when 63 tank cars of crude oil from the Bakken shale formation exploded. In addition to this incident, eight other major accidents involving crude oil occurred between October 2013 and May 2014, causing evacuations, injuries and death.
- The National Transportation Safety Board (NTSB) has found deficiencies in the regulation of rail safety. Some of the deficiencies highlighted are incorrect characterization and labeling of rail cars, inadequacies in route planning and a need for auditing to ensure rail carriers have adequate response plans in place.

Other concerns articulated in the State report include the lack of regulatory oversight over rail line operators and carriers, the inadequate supply of rail inspectors, and the potential increase in volatility of the crude oil being transported.

Earlier this month the California Office of Emergency Services (CalOES) released the Updated Gap Analysis for Transport and Response of Hazardous Materials by Rail and Refineries in California.³ The report concludes, in part, that more properly trained and equipped hazardous materials incident response teams are needed in California in

¹ 49 CFR 179.13 states that tank cars built after November 30, 1970 may not exceed 34,500 gallons. A barrel of oil equates to approximately 42 gallons. According to the National Transportation Safety Board (NTSB), the most common rail tank car in use is the DOT-111. The NTSB has identified a number of vulnerabilities related to these tank cars that, in an accident, pose risk of release of hazardous materials and potentially catastrophic damage. The Pipeline & Hazardous Materials Safety Administration (PHMSA) proposed several recommendations in July 2014 pertaining to trains carrying 20 or more tank cars of flammable liquids.

² As noted in “Oil by Rail Safety in California: Preliminary Findings and Recommendations,” experts posit that crude oil from the Bakken shale formation is inherently more flammable than other crude oil due to its light, gasoline-like nature, making rail car ruptures more likely. In addition, others are concerned that oil producers are transporting Bakken crude oil without extracting enough propane or other natural gas liquids, intensifying the risk of rupture.

³ Cal OES website: <http://www.caloes.ca.gov/HazardousMaterials/Pages/Oil-By-Rail.aspx>

order to be prepared to respond to the inevitable accidents associated with rail transportation of hazardous materials such as oil. The report further concludes:

“The challenge for the State is building the ability to effectively respond to and mitigate a catastrophic event, such as the cases which recently occurred in Illinois, West Virginia and LeBec, Canada. In addition, municipalities and jurisdictions not located within urban areas have limited access to comprehensive hazardous material emergency response capabilities in the event of even a moderate Haz-Mat incident, let alone a catastrophic scenario. This gap is particularly acute in the rural and remote portions of the State. These areas lack the necessary response equipment and specialized sustained training to support and maintain a multi-agency emergency Haz-Mat response. This is a significant gap that must be addressed in a coordinated manner that is consistent with the State Standardized Emergency Management System and FIREScope Resource Typing Program.”

There are several agencies that share regulatory authority regarding rail transport. Most major aspects of rail transport are governed by federal law. At the federal level, the U.S. Department of Transportation is responsible for promulgating and enforcing the safety of crude oil shipments by rail. Specifically, the Federal Railroad Administration (FRA) and Pipeline and Hazardous Materials Safety Administration (PHMSA) oversee these efforts. Additionally, various federal agencies are involved in emergency response and cleanup efforts, including the National Transportation Safety Board (NTSB), Environmental Protection Agency (EPA) and, potentially, the U.S. Coast Guard.

At the state level, rail safety requirements are enforced by shared authority between the California Public Utilities Commission (CPUC) and federal government. Additionally, various state agencies are involved in prevention, planning, emergency response and cleanup related to oil by rail. These agencies include the Office of Emergency Services (OES), the Office of the State Fire Marshall (OSFM), California Environmental Protection Agency (CalEPA), and the Office of Spill Prevention and Response (OSPR).

Local agencies also play a critical role in emergency preparedness and response, including the City of Carpinteria, Carpinteria-Summerland Fire Protection District, Santa Barbara County Sheriff's Department and Santa Barbara County Office of Emergency Management.

Per City Council's request, the purpose of this agenda matter is to provide information on oil transport by rail as it has become an important and evolving public health and safety issue. Additionally, this matter is designed to allow City Council an opportunity to advocate for rail safety improvements via letter to state and federal agencies and elected representatives. Local government, i.e., City and County, regulation of rail traffic is generally pre-empted by federal law, necessitating advocacy at both the state and federal level.

DISCUSSION

As described in the Background section, above, the dramatic increase in transporting of crude oil by rail in California (and other parts of the country) and a related increase in accidents involving crude oil transportation by rail, has brought significant public attention to this issue and the myriad federal and state agencies with authority over rail operations and safety.

Because rail transportation accidents typically occur in city or county jurisdictions and local agencies must both provide first response and manage long term recovery, the inability of local governments to influence and/or control rail transportation safety has contributed to mounting public frustration and created a need for advocacy for improvement in the system at the state and federal government level.

City staff has monitored this evolving issue, in particular, participating in a League of California Cities (LOCC) webinar, "Oil-by-Rail Safety: Formulating Advocacy", and reviewing LOCC recommendations for advocacy. The webinar was one of three oil-by-rail webinars hosted by LOCC in October and November of last year. Staff has also reviewed the June 2014 report from the State of California Interagency Rail Safety Working Group, which makes preliminary findings and recommendations related to rail safety in light of the current and expected further increase in oil by rail transportation.

The Interagency Rail Safety Working Group report concludes that... "while the federal actions taken to date are significant, they do not go far enough to address the risks of increased oil by rail transport. The state should press both the federal government and the railroad industry to take additional safety measures. Additionally, the state should strengthen its inspection and enforcement resources, remedy significant gaps in its emergency preparedness and response programs, and provide the public with an interactive map showing potential high risk areas from oil by rail traffic." The Group plans to continue to meet and refine its recommendations as new information becomes available. Both the LOCC and Working Group recommendations are attached to this report.

Carpinteria is bisected by a rail line operated by Union Pacific Railroad (UPRR) and which is used for both freight and passenger rail service. Hundreds of residents, a variety of sensitive environmental resources, and dozens of businesses representing important segments of the City economy, are located within close proximity to the rail line. Materials transported by rail through Carpinteria include a variety of hazardous materials, including oil.

The existing and projected increase in oil transportation by rail is expected to increase the associated risk of a rail accident impacting Carpinteria. Using the LOCC boilerplate

as a starting point, staff has drafted a letter for City Council consideration that advocates for a number of safety improvements through actions by state and federal regulators.

POLICY CONSISTENCY

The proposed advocacy for improved rail transportation safety can be found consistent with the following General Plan and Local Coastal Plan Safety Element policies:

Objective S-6: Minimize the potential risks and reduce the loss of life, property and the economic and social dislocations resulting from hazardous materials accidents at large industrial facilities, at facilities handling acutely hazardous materials, and along transportation corridors.

Policies:

S-6a. The City should maintain lists of facilities in the planning area that involve the use, storage, and/or transportation of hazardous materials.

S-6b. City policies concerning the use, storage, transportation and disposal of hazardous materials, and regarding underground or above-ground storage tanks shall reflect the County of Santa Barbara and the State Regional Water Quality Control Board policies and requirements and shall ensure that the use, storage, transportation and disposal of hazardous materials does not result in hazardous discharge or runoff.

S-6c. The City should consider the presence of large industrial facilities, facilities that handle acutely hazardous materials or pesticides, and railroad and utilities right-of-ways in land use planning.

S-6d. The City shall support protective measures against the spillage of hazardous materials, including crude oil, gas and petroleum products, and shall support effective containment and cleanup facilities and procedures for accidental spills that occur.

S-6e. Where feasible, new hazardous industrial development shall be located away from existing developed areas.

Implementation Policies:

22. Development of parcels that include the Rincon crude oil pipeline, the Gas Company's natural gas pipeline, a railroad right-of-way, or any other corridor or easement that contain similar uses that have the potential for hazardous materials leaks and/or catastrophic events, shall avoid the placement of habitable structures in such close proximity to the lines that public health and safety is put at risk.

26. Train speeds through Carpinteria should be maintained at levels that serve to minimize the potential for derailed train cars to leave the railroad right of way as a result of an accident.

The subject work can also found to be consistent with the City's Emergency Operations Plan. Crude oil and other hazardous materials releases occurring in conjunction with a train derailment are identified as one of the local hazards that represent significant risk

to the local community and warrants preparation of response plans and associated emergency response training.

FINANCIAL CONSIDERATIONS

A hazardous materials release that results in long-term damage to infrastructure, the environment, and/or local businesses can have long term negative impacts on the local economy and related revenues, e.g., sales tax. Promoting improved rail safety is a way the City can take action to address such financial risk. Further, local response to any major disaster can be financially crippling to a city, even if federal disaster recovery funds are available and obtained.

LEGAL

Although under certain circumstances the City, which regulates development activity through issuance of Coastal Development Permits, could establish project related conditions of approval for a railroad project, in general, local government agencies are preempted from regulating railroad operations, which are regulated by the state and federal government. Attached to this report is a list of state and federal agencies that regulate railroad operations in California.

OPTIONS

1. Approve the proposed letter for the Mayor's signature
2. Direct changes to the proposed letter
3. Decline to send a letter.

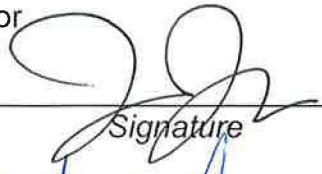
PRINCIPAL PARTIES EXPECTED AT MEETING

Mike Mingee, Chief, Carpinteria-Summerland Fire Protection District
Lt. Brad McVay, Santa Barbara County Sheriff's Department

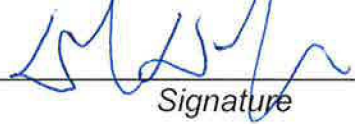
ATTACHMENTS

- A. Proposed letter
- B. League of California Cities letter
- C. League of California Cities Oil-by-Rail Webinar Slides
- D. League of California Cities Federal and State Rail Regulators List
- E. State Interagency Rail Safety Working Group Report

Staff contact: Julie Jeakle, Emergency Services Coordinator
(805) 684-5405 x401, juliej@ci.carpinteria.ca.us



Signature



Signature

Reviewed by: Dave Durflinger, City Manager

ATTACHMENT A

CITY of CARPINTERIA CALIFORNIA



March 24, 2015

The Honorable Anthony R. Foxx
Secretary of Transportation
United States Department of Transportation
1200 New Jersey Avenue, SE
Washington, D. C. 20590

Members of the City Council

Gregg A. Carty - *Mayor*

Fred Shaw – *Vice Mayor*

Al Clark

Wade Nomura

J. Bradley Stein

RE: Rail Safety – Expedited Action Requested

Dear Secretary Foxx:

Due to a steady flow of concerns about the transport of crude oil by rail voiced by our citizens for several months, the City of Carpinteria has been in contact with the League of California Cities, which has been monitoring transport of crude oil and other hazardous materials by rail, as well as hosting educational forums on the topic. We note that the League has recently adopted as its policy several goals for safety improvements based on input from our key state agencies. The City of Carpinteria agrees with the League's position that implementation of these rail safety improvements should be expedited at the federal level to accomplish improved rail safety as soon as possible.

Carpinteria is bisected by a rail line which is used for both freight and passenger rail service. Hundreds of residents, a variety of sensitive environmental resources, and dozens of businesses representing important segments of the City economy are located within close proximity to the rail line. Materials transported by rail through Carpinteria include a variety of hazardous materials, including oil. The continued increase in the transport of crude oil by rail, combined with recent rail accidents involving oil spills and resulting fires, has served to heighten concerns about rail safety among many of our citizens.

Because rail transportation accidents typically occur in city or county jurisdictions, and local agencies must provide first response and manage long term recovery, the inability of local governments to influence and/or control rail transportation safety has contributed to mounting public frustration. Further, it has created a need for advocacy for improvement in the system at the state and federal government level.

The Board of Directors of the League of California Cities at its February 20, 2015 meeting adopted ten specific recommendations as official policy on this issue. The City of Carpinteria respectfully submits these recommendations to you as priority items for improving rail safety. We have three points to emphasize in submitting these recommendations. First, irrespective of whether these improvements are required of railroads, petrochemical companies, hazardous materials shippers, or the owners or lessees of rail tank cars, we urge that they take the form of mandates, rather than the more traditional recommendations. Second, the mandates should be accompanied by the imposition of a hard deadline for their implementation. Third, we strongly recommend that the Department of Transportation include these recommendations for improved rail safety in the final rule for the Safe Transportation of Crude Oil and Flammable Materials.

CITY of CARPINTERIA CALIFORNIA

League of Cities Policy Recommendations – Oil by Rail

The City of Carpinteria urges the federal agencies with appropriate jurisdiction (primarily the National Transportation Safety Board, the Federal Railroad Administration, and the Pipeline and Hazardous Materials Safety Administration) to take the following actions to improve rail safety with respect to the transport of Bakken crude oil and other hazardous materials by rail:

- 1) **Mandate Electronically Controlled Braking Systems:** Require installation of electronically controlled, pneumatic braking systems (ECP) on trains carrying Bakken crude and ethanol by a date certain. This technology allows for faster and more efficient braking to a full stop.
- 2) **Expedite retrofit or phase-out of tank cars failing to meet current safety standards:** Require phase-out or retrofitting of older, DOT-111 tank cars manufactured prior to October 2011, to be completed by a date certain. The Association of American Railroads adopted higher manufacturing standards requiring greater structural integrity for these tank cars which took effect at that time to facilitate safer transport of flammable liquids, including ethanol and all crude oil.
- 3) **Mandate Provision of Real-Time Information to first responders in event of accidents:** Require via federal regulations that railroads and producers of petroleum and other hazardous materials shipped by rail make available to first responders, via a secure access portal on their websites, the cargo manifest information, or “consist,” on trains containing these substances. This information ideally should also be accessible via mobile applications, allowing rapid access by first responders to cargo manifest information in real time, particularly in accidents where the manifest is not available on the train.
- 4) **Federal funding for first responders:** Increase federal funding for training and equipment purchases for first responders, to improve their ability to respond to hazardous materials accidents.
- 5) **Mandatory Speed Limits:** Impose mandatory maximum speed limits in all areas.
- 6) **Mandate Stricter Reporting Requirements:** Lower the threshold for the number of tank cars that trigger a reporting requirement to the California Energy Commission and the State Emergency Response Commission, from 33 to 20. Currently petroleum producers and railroads only have to submit reports of trains carrying Bakken crude oil if the train includes 33 or more tank cars. Each tank car holds 34,500 gallons. This will lower the trigger for the reporting requirement from shipments of 1.1 million gallons or more, to shipment of 690,000 gallons or more.
- 7) **Identify priority routes for positive train control (PTC):** PTC is an advanced technology incorporating GPS tracking to automatically stop or slow trains before an accident can occur. It is specifically designed to prevent train-on-train collisions, derailments due to excessive speed, and unauthorized movement of trains. Require PTC to be employed on all rail lines used for the transport of hazardous materials, with a date certain by which the technology will be online.

CITY of CARPINTERIA CALIFORNIA

- 8) **Mandate railroad industry compliance with Individual Voluntary Agreement negotiated with the U.S. Department of Transportation by codifying the following actions as requirements:** (Note: The requirements below have been voluntarily agreed to by railroads, but there is currently no legal or regulatory requirement for their compliance. Such requirements should be codified, given their significant impact on rail safety)
- Reduced speed for crude oil trains with older tank cars going through urban areas
 - Analyses to determine the safest routes for crude oil trains
 - Increased track inspections
 - Enhanced braking systems (electronically controlled pneumatic brakes) ECP
 - Installation of wayside defective bearing detectors along tracks
 - Better emergency response plans
 - Improved emergency response training
 - Working with communities through which oil trains must move to address community concerns
- 9) **Clear methodology for funding:** Devise a clear methodology on how funds are to be distributed, to ensure that sufficient funds pass through that state and county agencies to the local agencies involved in first response.
- 10) **Regulate the parking and storage of tank cars:** Mandate improved safety regulations addressing the storage or parking of tank cars in populated areas.

The City of Carpinteria understands that this area of regulation is largely pre-empted by federal law; that is why we are urging specific and timely action by the federal agencies charged with regulatory oversight in this area. We do not expect that derailments and accidents will cease altogether, but we anticipate that stricter safety standards will reduce their numbers over time.

Thank you for your attention to this matter. Please contact me or my City Manager, Dave Durflinger, at (805) 684-5405 with any questions.

Sincerely,

Gregg A. Carty, Mayor

cc: Senator Dianne Feinstein
Senator Barbara Boxer
Senator Hannah-Beth Jackson
Congresswoman Lois Capps
Assemblymember Das Williams
Members of the California Congressional delegation
Federal Railroad Administration
National Transportation Safety Board
California Public Utilities Commission

ATTACHMENT B



1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

March 6, 2015

The Honorable Anthony R. Foxx
Secretary of Transportation
United States Department of Transportation
1200 New Jersey Avenue, SE
Washington, D. C. 20590

RE: Rail Safety – Expedited Action Requested

Dear Secretary Foxx:

The League of California Cities has been monitoring transport of crude oil and other hazardous materials by rail for several months, and has recently adopted as its policy several goals for safety improvements based on input from our key state agencies. We believe that implementation of these rail safety improvements should be expedited at the federal level to accomplish improved rail safety as soon as possible.

The continued increase in the transport of crude oil by rail, combined with recent rail accidents involving oil spills and resulting fires, has served to heighten concerns about rail safety among many of our member cities. Specifically, two derailments accompanied by fires involving unit trains (100 or more tank cars) carrying crude oil in West Virginia and in Ontario, Canada earlier this month have greatly increased public anxiety about what steps the relevant federal regulatory agencies are taking to improve rail safety, and on what timetable.

The Board of Directors of the League of California Cities at its February 20, 2015 meeting adopted ten specific recommendations as official policy on this issue, which we now respectfully submit to you as priority items for improving rail safety, and by extension the public safety of the 482 California communities we represent. We have three points to emphasize in submitting these recommendations. First, irrespective of whether these improvements are required of railroads, petrochemical companies, hazardous materials shippers, or the owners or lessees of rail tank cars, we urge that they take the form of mandates, rather than the more traditional recommendations. Second, the mandates should be accompanied by the imposition of a hard deadline for their implementation. Third, we strongly recommend that the Department of Transportation include these recommendations for improved rail safety in the final rule for the Safe Transportation of Crude Oil and Flammable Materials.

League of Cities Policy Recommendations – Oil by Rail

The League of Cities urges the federal agencies with appropriate jurisdiction (primarily the National Transportation Safety Board, the Federal Railroad Administration, and the Pipeline and

Hazardous Materials Safety Administration) to take the following actions to improve rail safety with respect to the transport of Bakken crude oil and other hazardous materials by rail:

- 1) **Mandate Electronically Controlled Braking Systems:** Require installation of electronically controlled, pneumatic braking systems (ECP) on trains carrying Bakken crude and ethanol by a date certain. This technology allows for faster and more efficient braking to a full stop.
- 2) **Expedite retrofit or phase-out of tank cars failing to meet current safety standards:** Require phase-out or retrofitting of older, DOT-111 tank cars manufactured prior to October 2011, to be completed by a date certain. The Association of American Railroads adopted higher manufacturing standards requiring greater structural integrity for these tank cars which took effect at that time to facilitate safer transport of flammable liquids, including ethanol and all crude oil.
- 3) **Mandate Provision of Real-Time Information to first responders in event of accidents:** Require via federal regulations that railroads and producers of petroleum and other hazardous materials shipped by rail make available to first responders, via a secure access portal on their websites, the cargo manifest information, or “consist,” on trains containing these substances. This information ideally should also be accessible via mobile applications, allowing rapid access by first responders to cargo manifest information in real time, particularly in accidents where the manifest is not available on the train.
- 4) **Federal funding for first responders:** Increase federal funding for training and equipment purchases for first responders, to improve their ability to respond to hazardous materials accidents.
- 5) **Mandatory Speed Limits:** Impose mandatory maximum speed limits in all areas.
- 6) **Mandate Stricter Reporting Requirements:** Lower the threshold for the number of tank cars that trigger a reporting requirement to the California Energy Commission and the State Emergency Response Commission, from 33 to 20. Currently petroleum producers and railroads only have to submit reports of trains carrying Bakken crude oil if the train includes 33 or more tank cars. Each tank car holds 34, 500 gallons. This will lower the trigger for the reporting requirement from shipments of 1.1 million gallons or more, to shipment of 690,000 gallons or more.
- 7) **Identify priority routes for positive train control (PTC):** PTC is an advanced technology incorporating GPS tracking to automatically stop or slow trains before an accident can occur. It is specifically designed to prevent train-on-train collisions, derailments due to excessive speed, and unauthorized movement of trains. Require PTC to be employed on all rail lines used for the transport of hazardous materials, with a date certain by which the technology will be online.
- 8) **Mandate railroad industry compliance with Individual Voluntary Agreement negotiated with the U.S. Department of Transportation by codifying the following actions as requirements:** (Note: The requirements below have been voluntarily agreed to by railroads, but there is currently no legal or regulatory requirement for their compliance. Such requirements should be codified, given their significant impact on rail safety)

- Reduced speed for crude oil trains with older tank cars going through urban areas
- Analyses to determine the safest routes for crude oil trains
- Increased track inspections
- Enhanced braking systems (electronically controlled pneumatic brakes) ECP
- Installation of wayside defective bearing detectors along tracks
- Better emergency response plans
- Improved emergency response training
- Working with communities through which oil trains must move to address community concerns

9) Clear methodology for funding: Devise a clear methodology on how funds are to be distributed, to ensure that sufficient funds pass through that state and county agencies to the local agencies involved in first response.

10) Regulate the parking and storage of tank cars: Mandate improved safety regulations addressing the storage or parking of tank cars in populated areas.

The League of California Cities understands that this area of regulation is largely pre-empted by federal law; that is why we are urging specific and timely action by the federal agencies charged with regulatory oversight in this area. We do not expect that derailments and accidents will cease altogether, but we anticipate that stricter safety standards will reduce their numbers over time.

Thank you for your attention to this matter. Please contact me or the League's Washington advocate, Leslie Pollner, at (202) 469-5149 with any questions. We look forward to continuing to work with you on California's important local priority issues.

Sincerely,



Christopher McKenzie
Executive Director

cc: Senator Dianne Feinstein
Senator Barbara Boxer
Members of the California Congressional delegation
Federal Railroad Administration
National Transportation Safety Board

ATTACHMENT C

Oil-by-Rail Safety: Formulating Advocacy

Thursday, November 6, 2014
11:00 a.m. – 12:30 p.m.



Presenter

Tim Cromartie
Legislative Representative
Public Safety



Oil by Rail in California

- This webinar will share the League's draft recommendations for advocacy on this issue, which will be vetted with our policy committees (Public Safety and Transportation) in January. They represent a mixture of input from relevant state agencies, first responders, and the League's own Comment letter submitted to the U.S. Department of Transportation in September.
- Your input on these draft recommendations is welcome, as they are intended to help guide local government efforts to lobby for appropriate regulatory changes at the federal level, addressing both rail safety and emergency preparedness.



How to Ask a Question

- All phone lines will be muted until the Q and A/Discussion period
- For Questions - Use the Q&A window to the right side of your screen
- Please enter your **Name**, **Title** and **City** when you ask a question
- For verbal questions, raise your hand by clicking on the "hand" icon



Oil by Rail in California

Reminder regarding draft advocacy recommendations:

- Federal law generally pre-empts state and local regulation of rail traffic
- Two notable exceptions:
 - Set-back requirements from rail lines
 - States may adopt more stringent standards than federal law requires if three criteria are satisfied:
 - 1) No undue burden on interstate commerce
 - 2) The state standard is compatible with federal standards
 - 3) It is necessary to reduce or eliminate local safety hazards



Oil by Rail in California

Reminder regarding League's draft advocacy recommendations (continued):

- These are draft recommendations, subject to further discussion and final approval. Your input is welcome.
- Given limitations imposed by federal pre-emption, the League's draft recommendations focus on potential points of advocacy for local governments to emphasize when contacting federal agencies and their respective Senators or Members of Congress.
- One of the state's recent legislative responses, SB 861, has already been challenged in court due to a provision requiring railroads to develop an oil spill contingency plan that must be approved by the state Office of Oil Spill Prevention and Response (OSPR). The issue raised in the suit is whether that regulation is pre-empted by federal law.





Oil by Rail in California

League of Cities Draft Advocacy Recommendations

- Entities to whom letters should be addressed:
- **Federal Railroad Administration**
- **Pipeline and Hazardous Materials Safety Administration**
- **Your Senator**
- **Your Member of Congress**



Oil by Rail in California

League of Cities Draft Advocacy Recommendations

- 1) **Mandate Electronically Controlled Braking Systems:** Require installation of electronically controlled, pneumatic braking systems (ECP) on Bakken crude, and ethanol, unit trains by a date certain. This technology allows for faster and more efficient braking to a full stop. (CPUC)
- 2) **Expedite retrofit or phase-out of tank cars failing to meet current safety standards:** Require phase-out or retrofitting of older, DOT-111 tank cars manufactured prior to October 2011, to be completed by a date certain. The Association of American Railroads adopted higher manufacturing standards requiring greater structural integrity for these tank cars which took effect at that time, to facilitate safer transport of flammable liquids, including ethanol and all crude oil. (CPUC, OES, California Interagency Rail Safety Working Group)





Oil by Rail in California

League of Cities Draft Advocacy Recommendations (continued)

3) Mandate Provision of Real-Time Information to first responders in event of accidents: Require via federal regulations that railroads and producers of petroleum and other hazardous materials shipped by rail make available to first responders, via a secure access portal on their websites, the cargo manifest information, or consist, on trains containing these substances. This information ideally should also be accessible via mobile applications, allowing rapid access by first responders to cargo manifest information in real time, particularly in accidents where the manifest is not available on the train. (First Responders, National League of Cities, California Interagency Rail Safety Working Group)

4) Federal funding for first responders: Increase federal funding for training and equipment purchases for first responders, to improve their ability to respond to hazardous materials accidents. (First Responders, OES, California Interagency Rail Safety Working Group)



Oil by Rail in California

League of Cities Draft Advocacy Recommendations (continued)

5) Mandatory Speed Limits: Impose mandatory maximum speed limits in all areas. (League of Cities)

6) Stricter Reporting Requirements: Lower the threshold for the number of tank cars that trigger a reporting requirement to the California Energy Commission and the State Emergency Response Commission, from 33 to 20. Currently petroleum producers and railroads only have to submit reports of trains carrying Bakken crude oil if the train includes 33 or more tank cars. Each tank car holds 34,500 gallons. This will lower the trigger for the reporting requirement from shipments of 1.1 million gallons or more, to shipment of 690,000 gallons or more. (OES)



Oil by Rail in California

League of Cities Draft Advocacy Recommendations (continued)

7) Identity priority routes for positive train control (PTC):

PTC is an advanced technology incorporating GPS tracking to automatically stop or slow trains before an accident can occur. It is specifically designed to prevent train-on-train collisions, derailments due to excessive speed, and unauthorized movement of trains. (CPUC, Senator Dianne Feinstein, California Interagency Rail Safety Working Group)

NOTE: Staff recommend adding to this language an express federal requirement that PTC be employed on all rail lines used for the transport of Bakken crude oil, and that the technology come online by a date certain;



Oil by Rail in California

League of Cities Draft Advocacy Recommendations (continued)

8) Mandate railroad industry compliance with Individual Voluntary Agreement negotiated with the U.S. Department of Transportation by codifying the following actions as requirements:

- Reduced speed for crude oil trains with older tank cars going through urban areas
- Analyses to determine the safest routes for crude oil trains
- Increased track inspections
- Enhanced braking systems (electronically controlled pneumatic brakes) ECP
- Installation of wayside defective bearing detectors along tracks
- Better emergency response plans
- Improved emergency response training
- Working with communities through which oil trains must move to address community concerns

(California Interagency Rail Safety Working Group)



Questions?



Upcoming Webinars

2014 Legislative Briefing Webinar
Wednesday, November 12 2:00 - 3:30 p.m.

ATTACHMENT D

FEDERAL

Federal Railroad Administration: This Department of Transportation agency has jurisdiction over railroad safety. The FRA writes and enforces rail safety rules, including those covering operating practices, rail equipment and the moving of hazardous materials. It also oversees track inspection audits. As of early 2014, the FRA employed about 400 inspectors around the country. FRA inspectors use the locations of past incidents to steer where they should perform their inspections; however, the agency has also begun considering which areas at greater risk because of increased oil transport. Importantly, state-employed inspectors also enforce federal standards because states cannot regulate areas covered by FRA rules, with rare exceptions.

<http://www.fra.dot.gov>

- **Rail Safety Advisory Committee:** This stakeholder group is responsible for crafting by consensus new, cost-effective safety regulations, when needed, based on agreed-upon facts. The FRA assigns tasks to the committee, which in turn returns with recommendations. The committee is to take into account all costs and benefits, among them how regulations with impact the economy, environment and public health and safety. Recent assigned tasks have included hazmat train securement, minimum crew size, rail integrity and installing video and audio recording devices on trains. Committee representation includes labor unions, rail car owners, shippers, the chemical industry, federal agencies and the Association of State Rail Safety Managers.

<https://rsac.fra.dot.gov>

Pipeline and Hazardous Materials Safety Administration: This Department of Transportation agency issues standards for the safe handling and packaging of hazardous materials, including oil, chemicals and nuclear waste. Its Office of Hazardous Materials Safety develops standards for how such materials are moved by rail and most modes of transport. The Federal Railroad Administration and state inspectors enforce the agency's regulations related to railroads.

<http://www.phmsa.dot.gov/>

National Transportation Safety Board: This independent federal agency's charge includes investigating railroad accidents and hazardous materials releases made during transport. It makes recommendations meant to reduce the probability of future accidents, but it has no enforcement authority. Unlike the Federal Railroad Administration, the NTSB is not required to weight the costs and benefits of additional regulation. In 2014, its recommendations have included requiring railroads transporting hazardous materials assisting with the development of emergency operations and response plans.

<http://www.nts.gov>

Transportation Security Administration: Better known for its role in aviation security, this Department of Homeland Security agency is also responsible for developing plans and regulations – as well as for enforcing regulations -- for all modes of transportation, including railroads. It tracks hazardous

materials, provides security training and assesses intelligence about possible threats to transportation security. TSA also serves as the liaison to the law enforcement and intelligence communities.

<http://www.tsa.gov/>

Environmental Protection Agency, U.S. Coast Guard: The EPA or, in coastal zones, the Coast Guard, have been empowered by executive order to perform oil cleanups using federal resources, monitor the cleanup response of the spiller or direct the spiller's cleanup. In inland areas, local or state responders may notify the National Response Center to elevate an incident to federal involvement or the EPA may step in if a spill exceeds local response capabilities. The framework for responding to a spill is the National Oil and Hazardous Substances Pollution Contingency Plan. The EPA is responsible for planning and coordinating spill response at the regional level.

<http://www2.epa.gov/emergency-response>

STATE OF CALIFORNIA

Interagency Rail Safety Working Group: Convened by the governor in January 2014, its members include the following agencies: California Public Utilities Commission, Office of Emergency Services, Office of the State Fire Marshal, California Environmental Protection Agency, Office of Spill Prevention and Response, Department of Toxic Substances Control, California Energy Commission, California Natural Resources Agency and Department of Oil, Gas and Geothermal Resources. The working group produced a June 2014 report, "Oil by Rail Safety in California: Preliminary Findings and Recommendations."

<http://www.caloes.ca.gov/.../Oil%20By%20Rail%20Safety%20in%20California.pdf>

California Public Utilities Commission: The agency performs its railroad safety responsibilities through its Railroad Operations and Safety Branch. The CPUC shares its jurisdiction with the Federal Rail Administration. The branch's 36 inspectors (the recently approved state budget includes seven additional inspector positions: two each for track, bridges and hazmat and one rail car inspector) enforce FRA and Pipeline and Hazardous Materials Safety Administration regulations, as well as state safety rules. They inspect 5,800 to 7,100 of the state's 7,100 miles of track annually. Branch personnel investigate accidents and safety complaints, make risk assessments and recommend safety improvements to the state, railroad and federal government. Inspectors cover five areas: operating practices, track oversight, signal and train control, hazardous materials and motive power and equipment.

<http://www.cpuc.ca.gov/PUC/safety/Rail/Railroad/>

- **Crude Oil Reconnaissance Team:** A group within the Railroad Operations and Safety Branch charged with looking beyond regulations as it monitors crude oil projects before they come online. The team is to identify and seek remediation for risk and provide independent safety oversight and guidance to industry. The team also coordinates with first responders.

California Governor's Office of Emergency Services: Cal OES has the authority and responsibility for the overall coordination of the state's response to major emergencies and disasters. In addition, Cal OES manages the State's public safety (fire, rescue and hazardous materials, law enforcement, EMS, and emergency management) mutual aid response network; the State Threat Assessment System; the state's 24/7 Central Warning and Notification Center; and statewide public safety communications/911 capabilities. As the state's Homeland Security Agency, Cal OES is also responsible for assessment and protection of the state's critical infrastructure and key assets, ensuring the state's readiness and ability to respond to and recover from all-hazards and for supporting/coordinating local governments in their emergency preparedness, response, recovery, and hazard mitigation efforts. The director of Cal OES serves as the governor's Homeland Security Advisor, as well as the chair of California's State Emergency Response Commission, as referred to in the USDOT May 7, 2014, Emergency Order requiring notification by railroad carriers to SERCs of the transportation of 1 million gallons or more of crude oil from the Bakken shale formation through their respective states.

<http://www.calema.ca.gov/HazardousMaterials/Pages/Oil-By-Rail.aspx>

Office of Spill Prevention and Response: This agency within the Department of Fish and Wildlife has the primary authority to serve as a state incident commander and to direct prevention, removal, abatement, response, containment, and cleanup efforts with regard to all aspects of any oil spill in waters of the state. OSPR has preparedness and response requirements for industry encompassing oil spill contingency plans, pollution insurance, and drills and exercises, has enforcement authority, and ensures restoration and remediation of natural resource injuries. During an incident OSPR works directly with the U.S. Coast Guard or the U.S. Environmental Protection Agency and other state and local agencies in the Unified Command established for cleaning up oil spills in waterways. In 2014, the governor expanded the OSPR program to cover all state surface waters at risk of oil spills from any source, including pipelines, production facilities and the increasing shipments of oil transported by railroads.

<http://www.dfg.ca.gov/ospr/>

Department of Forestry and Fire Protection: Cal Fire is responsible for protecting over 31 million acres of California's wildlands and for emergency services of all types in 35 of California's 58 counties. CAL FIRE responds to all hazards and types of emergencies including hazardous material spills and train wrecks. The department also has six Incident Management Teams that are capable of managing large complex emergencies.

<http://www.fire.ca.gov/>

Office of the State Fire Marshal: The mission of the Office of the State Fire Marshal, State Fire Training, and Cal Fire Academy programs provide training education and certification programs to the California Fire Service. Through practical training exercises and classroom courses, every California firefighter is exposed to training standards that have been approved by Cal Fire and the fire marshal. Offering more than 1,000 classes annually, including flammable/combustible liquid fires and principles of the incident command system, State Fire Training programs reach more than 24,000 students annually. The fire marshal has requested assistance from the U.S. Fire Administration to provide training and guidance for

emergency responders who may be called to oil by rail accidents and is collaborating with other state agencies to identify gaps in preparedness and response relating to hazardous materials emergencies.

<http://osfm.fire.ca.gov/>

- **Pipeline Safety Division:** This division of the fire marshal's office has exclusive safety regulatory and enforcement authority over 4,500 miles of intrastate hazardous liquid transportation pipelines. The division is also responsible for the investigation of pipeline spills, ruptures and fires for cause and determination of probable violations. The fire marshal's office is notified of all train derailments where hazardous liquid pipeline are within 500 feet of the railroad tracks. Affected pipeline operators are contacted and appropriate follow-up actions are taken to ensure the pipelines' integrity is not compromised by the train derailment car impact or subsequent cleanup activities.

<http://osfm.fire.ca.gov/pipeline/pipeline.php>

California Environmental Protection Agency: CalEPA is the lead agency for the Emergency Function 10, the California Hazardous Materials and Oil Emergency Function, an annex to the State Emergency Plan that defines the organization, scope and coordination of oil and hazardous materials response and emergency management activities in a large scale incident. CalEPA coordinates communications between its boards, departments and offices and the governor's office regarding any incident. CalEPA directs any necessary deployment of qualified staff, such as Department of Toxic Substances Control's hazardous materials specialists or Air Resources Board or Water Resources Control Board scientists, to respond and assist with any incident. CalEPA also oversees the Unified Hazardous Materials Management Program and certifies local agencies to implement it.

<http://www.calepa.ca.gov/>

- **Department of Toxic Substances Control:** This CALEPA department has 30 hazardous materials technicians that can be mobilized to oversee and mitigate releases of hazardous substances statewide. Additionally, the department employs six contractors that are available 24 hours a day to provide response capabilities for hazardous substances releases that may occur anywhere in the state. In the event of an oil-by-rail incident, the department may provide technical expertise in the form of sampling assistance, environmental and toxicological impact assessments, and contractor resources for cleanup, if necessary.

<http://www.dtsc.ca.gov/>

Sources: Governor's office, California Public Utility Commission, Congressional Research Service.

ATTACHMENT E



Oil by Rail Safety in California

Preliminary Findings and Recommendations



A crude oil train travels across the Clear Creek Trestle in Plumas County, California and through the Feather River Canyon on June 5, 2014.

State of California
INTERAGENCY RAIL SAFETY WORKING GROUP

June 10, 2014

I. Introduction

California is on the cusp of dramatic changes in how oil is transported to the state. In 2012, about 70% of oil imported by California refineries came through marine terminals;¹ only one million barrels or 0.3% came by rail.² In 2013, crude oil imports by rail jumped 506% to 6.3 million barrels, or approximately 1% of total imports.³ Many experts, including the California Energy Commission, project that this number could increase by up to 150 million barrels, or 25% of total imports, by 2016. There currently are at least a half dozen planned infrastructure projects statewide that would facilitate greatly expanded oil by rail shipments, either refinery expansions and retrofits allowing for processing of more imported oil, such as from the Bakken shale formation in North Dakota, or expansion of rail terminal facilities.⁴ To date, most crude oil by rail has come from Canada and North Dakota.

These trends parallel what has been a sharp increase in oil by rail shipments nationally, especially in response to increases in production of oil from the Bakken shale formation. Oil from the Bakken is high-quality, light, sweet crude, making it more valuable and economically competitive than some of the other domestic crude oils. While moving oil by rail is more expensive than by pipeline (\$12/barrel of oil (bbl) versus \$6/bbl), it is faster and offers greater flexibility, enabling companies to take advantage of \$30/bbl price differentials across the United States. Industry is currently investing heavily in rail infrastructure and rail tank cars; Burlington Northern Santa Fe plans to invest \$400 million to expand rail capacity in North Dakota alone.⁵ Over the last several years, oil by rail in the United States has increased from 9,500 carloads in 2008 to 434,000 carloads in 2013.⁶ (A carload holds about 600 to 700 barrels, or between 25,000 to 30,000 gallons.)⁷

The federal government has primary authority over railroad safety. California, however, enforces federal requirements, as well as state specific rules, and state and local agencies have the lead in the areas of emergency planning, preparedness and response. States additionally can help ensure that federal and voluntary industry actions are adequate given the risks posed by oil by rail. In January 2014, the Governor's Office convened a Rail Safety Working Group to examine safety

¹ Office of Spill Prevention and Response, "OSPR Statewide Oil Program: Briefing to the Governor's Office," December 19, 2013.

² California Energy Commission, "Crude Imports by Rail (2012, 2013, 2014)," Energy Almanac, last modified May 2014, http://energyalmanac.ca.gov/petroleum/statistics/2013_crude_by_rail.html.

³ Ibid.

⁴ These include:

- Bakersfield – Plains All American (under construction): 90 cars per day
- Pittsburg – WesPac Energy Project (planned): 70 cars per day, construction could begin in early 2014 and would reach completion in about 18 months
- Benicia – Valero (planned): 100 cars per day, could be operational by the first quarter of 2015
- Bakersfield – Alon (planned): 200 cars per day
- Wilmington – Valero (planned): 85 cars per day
- Santa Maria – Phillips 66 (planned)

⁵ Burlington Northern Santa Fe, "BNSF 2014 Capital Spending Now in Full Swing: \$1 Billion Going to Northern Corridor States," May 1, 2014, <http://www.bnsf.com/media/news-releases/2014/may/2014-05-01a.html>.

⁶ Association of American Railroads, "Moving Crude Oil by Rail," December 2013, <https://www.aar.org/keyissues/Documents/Background-Papers/Crude-oil-by-rail.pdf>.

⁷ Association of American Railroads, "Just the Facts – Railroads Safely Move Hazardous Materials, Including Crude Oil," <https://www.aar.org/safety/Documents/Just%20the%20Facts%20on%20Hazardous%20Materials%20Including%20Crude%20Oil%20Safety.pdf>.

concerns and recommend actions the state and others should take in response to this emerging risk.⁸ This report contains a summary of initial recommendations from the Working Group.

II. Scope of the Problem

A. Recent Accidents and Risks of Oil by Rail Transport

As oil by rail shipments have increased in recent years, there has been a dramatic increase in the number of incidents involving crude oil by rail. Nationally, rail incidents rose from several per year prior to 2010 to 155 in 2013, and 90 thus far in 2014.⁹ More crude oil by volume was spilled in rail incidents in 2013 than was spilled in the nearly four decades prior.¹⁰ California is experiencing similar trends, albeit on a smaller scale to date. Incidents involving oil by rail in California increased from 3 in 2011 to 25 in 2013; as of May, there have been 24 thus far in 2014.¹¹ Total petroleum spills by rail in California (crude oil and other) increased from 98 in 2010 to 182 in 2013.¹² Most reported incidents document a relatively small volume of oil released, but as detailed below, the potential for high-consequence incidents will increase as more oil is transported by rail.

Incidents involving crude oil from the Bakken shale formation have been particularly devastating – most notably, the tragic accident in July 2013 in Lac-Mégantic, Quebec, where 63 tank cars of crude oil exploded, killing 47 people.¹³



Lac-Mégantic, Quebec¹⁴

⁸ The Working Group includes representatives from the California Public Utilities Commission, California Office of Emergency Services, California Environmental Protection Agency, Department of Toxic Substances Control, California Energy Commission, California Natural Resources Agency, California Office of the State Fire Marshal, Department of Oil, Gas and Geothermal Resources, and Office of Spill Prevention and Response.

⁹ Pipeline and Hazardous Material Administration, “Incident Reports Database Search,” Office of Hazardous Materials Safety, June 2014, <https://hazmatonline.phmsa.dot.gov/IncidentReportsSearch/search.aspx>.

¹⁰ McClatchyDC, “More oil spilled from trains in 2013 than previous 4 decades, federal data show,” January 20, 2014, <http://www.mcclatchydc.com/2014/01/20/215143/more-oil-spilled-from-trains-in.html>.

¹¹ California Office of Emergency Services, “Historical HazMat Spill Notifications,” May 6, 2014, <http://www.calema.ca.gov/HazardousMaterials/Pages/Historical-HazMat-Spill-Notifications.aspx>.

¹² Ibid.

¹³ Congressional Research Service, “U.S. Rail Transportation of Crude Oil: Background and Issues for Congress,” May 5, 2014, <http://www.fas.org/sgp/crs/misc/R43390.pdf>.

¹⁴ The Atlantic, “Freight Train Derails and Explodes in Lac Mégantic, Quebec,” July 8, 2013, <http://www.theatlantic.com/infocus/2013/07/freight-train-derails-and-explodes-in-lac-megantic-quebec/100548/>.

In addition to Lac-Mégantic, there have been eight major accidents in 2013 and 2014 combined:¹⁵

- **October 19, 2013 – Gainford, Alberta:** No injuries, 100 people evacuated, 13 cars derailed (9 carrying liquefied petroleum gas and 4 carrying Canadian crude oil)
- **November 8, 2013 – Aliceville, Alabama:** No injuries, 30 cars carrying North Dakota crude oil derailed
- **December 30, 2013 – Casselton, North Dakota:** No injuries, 1,400 people evacuated, 34 cars derailed (20 carrying North Dakota crude oil)
- **January 7, 2014 – Plaster Rock, New Brunswick:** No injuries, 17 cars derailed (5 carrying Canadian crude oil)
- **January 20, 2014 – Philadelphia, Pennsylvania:** No injuries, 7 cars derailed (6 carrying Canadian crude oil)
- **February 13, 2014 – Vandergrift, Pennsylvania:** No injuries, 21 cars derailed (19 carrying Canadian crude oil)
- **April 30, 2014 – Lynchburg, Virginia:** No injuries, 15 cars carrying crude oil derailed
- **May 9, 2014 – LaSalle, Colorado:** No injuries, 6 cars carrying crude oil derailed¹⁶

The causes of these accidents vary and some are still being investigated, but they include track failures, inadequate rail car equipment, and human error (such as leaving cars unattended without proper braking systems). Federal safety experts believe many recent rail car failures are due to the rupture of tank cars containing a pressurized liquid above its boiling point, and are closely examining the potential unique risks posed by transporting oil from the Bakken shale formation. The concern is that the light, gasoline-like nature of the crude oil from Bakken (and other similar shale plays) is inherently more flammable than other crude oil and makes such rail car ruptures more likely, especially given existing tank car standards. Others posit that oil producers are not extracting enough propane (or other natural gas liquids) from Bakken, and similar crude oil, before transport, thereby exacerbating the risk of rupture.

The National Transportation Safety Board (NTSB) has also found numerous deficiencies in the regulation of rail safety. These include that crude oil transported by rail sometimes has been incorrectly characterized and labeled, and not transported with the level of protection mandated for the degree of hazard posed, inadequacies in route planning to avoid population centers and environmentally sensitive areas, and a need for auditing rail carriers to ensure adequate response plans are in place.¹⁷ In addition, a comprehensive recent report by New York found similar weaknesses in the existing regulatory scheme, including: outdated tank cars with insufficient placards, a lack of critical information about the characteristics of crude oil being transported, a

¹⁵ Congressional Research Service, "U.S. Rail Transportation of Crude Oil: Background and Issues for Congress," May 5, 2014, <http://www.fas.org/sgp/crs/misc/R43390.pdf>.

¹⁶ Huffington Post, "6 Cars Of Crude Oil Train Derail Near LaSalle, Colorado," May 10, 2014, http://www.huffingtonpost.com/2014/05/10/crude-oil-train-colorado_n_5298679.html.

¹⁷ National Transportation Safety Board, "Safety Recommendation R-14-1," January 23, 2014, <http://www.nts.gov/doclib/recletters/2014/R-14-001-003.pdf>.

lack of data about trends in the movement and volume of crude oil, and a need to expand and update federal environmental and contingency response plans.¹⁸

B. Oil by Rail Routes and Risks in California

In California, trains transporting crude oil are expected to travel via the Feather River or Donner Pass to the Bay Area, the Tehachapi Pass to Bakersfield, or into Los Angeles. As a result, they will travel through some of the state's most densely populated areas, as well as some of the most sensitive ecological areas, since rail lines frequently operate near or over rivers and other sensitive waterways in the state.

Agencies in the Working Group collaborated to identify and map areas along rail routes with potential high vulnerability, and to identify the locations of emergency response teams relative to the vulnerabilities.¹⁹ As seen in the attached map, there are serious risks throughout the state from oil by rail and significant gaps in local emergency response capabilities.

Specifically, the mapping exercise found the following:

- High hazard areas²⁰ for derailments are primarily located in the mountains, with at least one such site along every rail route into California. Some high hazard areas are also located in more urban areas, such as in the San Bernardino-Riverside and San Luis Obispo regions. Overall, high hazard areas represent an estimated 2% of track and 18% of the derailments that have occurred.²¹ This means that 82% of derailments have occurred in a wide range of other locations. The high hazard areas do not reflect the locations of other types of rail accidents (e.g., collisions). Therefore, while the highlighted areas are important, they are not the only sites where accidents may occur.
- Areas of vulnerable natural resources are located throughout the state, including in urban areas. A rail accident almost anywhere in California would place waterways and sensitive ecosystems at risk. The high hazard areas for derailments are generally located in areas with high natural resources vulnerability and nearby waterways (e.g., Dunsuir, the Feather River Canyon).
- Emergency hazardous material response teams ("hazmat") in California have generally good coverage of urban areas, but none are located near the high hazard areas in rural Northern California. Some areas such as Yuba City and Monterey only contain "Type III Hazmat" teams, units that are equipped to perform only in a support rather than lead role during a major chemical or oil incident.

¹⁸ State of New York, "Transporting Crude Oil in New York State: A Review of Incident Prevention and Response Capacity," April 30, 2014, <http://www.governor.ny.gov/assets/documents/CrudeOilReport.pdf>.

¹⁹ The map was prepared by OSPR, OES, CPUC, CalEPA, and the California Department of Technology.

²⁰ "High hazard areas" are areas that were identified in Decision 97-09-045 of the California Public Utilities Commission, and were identified either by a statistically significant high frequency of derailments, or by the existence of restrictive railroad operating rules to address unusually risky operating characteristics such as steep grade and sharp curves. There is considerable overlap between the two identification criteria.

²¹ For 2003 to 2013 in areas identified via the statistical method described in the preceding footnote.

Other populated areas near rail routes, such as Stockton, San Luis Obispo, Santa Maria, and Barstow, contain only “Non-Certified Hazmat” teams, which are local teams that have not applied to be certified by the state as meeting certain levels of training and equipment.²²

- Population centers, schools, and hospitals are frequently located near rail lines in urban areas and in the Central Valley. A highly populated area is located near a major high hazard area for derailments in the San Bernardino-Riverside area.
- Earthquake faults in California are located along rail lines in many areas, especially in urban areas in and around Los Angeles and the Bay Area. A major earthquake could damage tracks and bridges beyond the immediate area of the marked faults.

III. Government Actions to Date

A. Federal

Federal law governs most major aspects of rail transport, and preempts most state regulation. The principal agency responsible for promulgating and enforcing the safety of rail shipments of crude oil is Department of Transportation (DOT), and specifically within DOT: the Federal Railroad Administration (FRA) and the Pipeline and Hazardous Materials Safety Administration (PHMSA).

DOT has responded to the spate of accidents and increased volume of oil by rail with a series of increasingly stringent emergency orders and advisories.²³ Among the most important of the federal actions are the following:

- Requirements for proper testing, characterization, classification and designation of oil shipped by rail
- Investigation of how shippers and carriers are classifying crude oil
- Review of crew staffing levels and operating procedures
- Requirement for updated safety and security plans

²² Although Non-Certified Hazmat teams are not a part of the formal mutual aid system, they may be fully capable of responding to and mitigating an event.

²³ The actions include:

August 2013 - Operation Classification

August 2, 2013 - Joint FRA-PHMSA Safety Advisory 2013-06

August 7, 2013 - FRA Emergency Order 28

September 6, 2013 - PHMSA Advanced Notice Of Proposed Rulemaking (ANPRM): Rail Petitions and Recommendations to Improve the Safety of Railroad Tank Car Transportation

November 20, 2013 - Joint PHMSA-FRA Safety Advisory 2013-07

January 2, 2014 - PHMSA Safety Alert, Preliminary Guidance from Operation Classification

January 21, 2014 - NTSB Safety Recommendations to FRA and PHMSA

February 21, 2014 - 8-Part Agreement between DOT and the Association of American Railroads

February 25, 2014 - DOT Emergency Restriction/Prohibition Order

March 6, 2014 - DOT Amended and Restated Emergency Restriction/Prohibition Order

May 7, 2014 - DOT Emergency Restriction/Prohibition Order, FRA Safety Advisory 2014-01

- Restrictions on leaving trains unattended
- Requirement for advance notification to State Emergency Response Commissions of weekly shipments of significant volumes of Bakken crude oil by county

PHMSA also has initiated a rulemaking to consider revisions to the regulations governing the transportation of hazardous materials by rail. The changes under consideration include more stringent requirements for the tank cars most typically used to transport Bakken or other crude oil, DOT Specification 111 (DOT-111) tank cars. In addition, earlier this year DOT reached an agreement with the Association of American Railroads (AAR) under which industry agreed to eight voluntary safety measures, including: reduced speed for crude oil trains with older tank cars going through urban areas, analyses to determine the safest routes for crude oil trains, increased track inspections, enhanced braking systems, installation of wayside defective bearing detectors along tracks, better emergency response plans, improved emergency response training, and working with communities through which oil trains move to address community concerns. The voluntary measures go into effect between March and July 2014.

B. California

At the state level, the California Public Utilities Commission (CPUC) shares authority with the federal government to enforce federal rail safety requirements, and also has authority to enforce state safety rules. The CPUC has also been an active participant in federal rulemaking efforts, including through the FRA's Railroad Safety Advisory Committee.

Various state agencies engage in prevention, planning, emergency response, and cleanup activities applicable to oil by rail, including the Office of Emergency Services (OES), the Office of State Fire Marshal (OSFM), California Environmental Protection Agency (CalEPA), and the Office of Spill Prevention and Response (OSPR). These state agencies are all beginning to prepare for the heightened risks posed by oil by rail. Local agencies, including the local Certified Unified Program Agencies (CUPAs), also play critical roles in emergency preparedness and response, and have expressed growing concern about increased oil by rail transport.

Several aspects of the state's emergency response framework are currently being updated: The CalEPA Emergency Response Management Committee is revising the Hazardous Material and Oil Spill annex of the State Emergency Plan, OES is leading an effort to review and update the six Regional Plans for Hazardous Materials Emergency Response, and OES has also re-started meetings of the State Emergency Response Commission (SERC), the federally-mandated state coordinating body for hazardous materials release response planning.

IV. Recommendations

The Working Group's preliminary findings and recommendations are set forth below. In sum, while the federal actions taken to date are significant, they do not go far enough to address the risks of increased oil by rail transport. The state should press both the federal government and the railroad industry to take additional safety measures. Additionally, the state should strengthen its inspection and enforcement resources, remedy significant gaps in its emergency preparedness and response programs, and provide the public with an interactive map showing potential high risk areas from oil by rail traffic.

1. Increase the Number of California Public Utilities Commission Rail Inspectors

The CPUC is responsible for enforcing federal and state railroad safety requirements, including those governing railroad tracks, facilities, bridges, rail crossings, motive power and equipment, operating practices, and hazardous material shipping requirements.

The CPUC has only 52 total authorized positions in the Railroad Operations and Safety Branch to handle inspections, investigations, and risk assessment and analysis for railroad operations (freight and passenger), including inspections of rail cars and thousands of miles of rail track, bridges and railroad crossings in the state. This staffing level is seriously inadequate given current and projected numbers of oil shipments. With existing resources, the CPUC is often not able to meet its statutory mandate to inspect every mile of railroad annually. Increased transportation of oil by rail will mean more tank cars subject to inspection, increased tonnage and wear and tear on track and structures, and greater potential for hazardous spills with explosive potential, creating a corresponding greater need for resources.

The Legislature should approve the proposal in the Governor's Budget to add seven rail inspectors to the CPUC so that it can carry out additional inspections and enforcement actions related to tank cars, railroad lines, bridges, and hazardous material shipping requirements necessary to respond to increases in the transport of oil by rail.

2. Improve Emergency Preparedness and Response Programs

The state needs to strengthen all aspects of its emergency preparedness and response programs to deal with the threats posed by oil by rail – from preparedness and training in advance of any incidents to effective response and cleanup after an incident occurs. State and local agencies have important, complementary responsibilities in this area. OES is responsible for coordinating emergency response statewide, while local agencies typically are the first on the scene responding following an incident. These agencies handle initial emergency response and immediate actions to abate the hazard. In the event of an oil spill, OSPR manages the incident, including cleanup, natural resource protection, hazardous waste management, and cost recovery from responsible parties. As agencies update their programs, they should do so in a coordinated fashion that does not result in duplicative efforts or obligations on industry.

Specific recommendations in this area include the following:

a. Expand the Oil Spill Prevention & Response Program to Cover Inland Oil Spills

The State Office of Spill Prevention and Response (OSPR) has a program to prevent, prepare for, and clean up oil spills in waters off the California coast, funded by a per barrel oil fee of 6.5 cents on oil transported over marine water. OSPR, however, has no comparable fee structure or authority for preparedness activities for oil that is transported to or within California by rail or pipeline, even though it is designated in statute as the state Incident Commander for spills to inland waters of the state. Therefore OSPR has no program in place to prepare for

and respond to oil spills to inland rivers, streams, or other water bodies, despite the fact that rail lines frequently operate near sensitive waterways in the state.

The Legislature should fund the proposal in the Governor's Budget to extend the per barrel fee to cover all sources of crude oil sent to refineries in the state, and to provide OSPR with the regulatory authority and resources to establish an inland spill preparedness and response program. This will enable OSPR to expand its proven maritime oil spill program to inland areas. The program will: support existing prevention measures as appropriate, enhance preparedness for spills (including training and drills, cleanup contractor testing requirements, industry drills and exercises, geographic response and contingency planning, oiled wildlife rescue and multi-agency coordination), and allow OSPR to oversee responses to oil spills in order to maximize containment, protect and restore natural resources, and ensure effective cleanup. These activities should be closely coordinated with the work of state and local emergency response agencies, as described below.

b. Provide Additional Funding for Local Emergency Responders

According to a recent analysis conducted by OES, numerous local emergency response offices lack adequate resources to respond to oil by rail accidents. Many of these first responders are in rural areas, such as Plumas, Siskiyou, and Modoc counties, where some of the highest risk rail lines are and some of our state's most pristine natural resources are located. Additionally, many of these areas have little or no funding for firefighters and rely on volunteer firefighters. Specifically, 40% of the fire fighters in California are volunteer firefighters, with many fire departments entirely staffed by volunteer firefighters. These departments lack the necessary capacity to support a hazmat team to purchase or maintain necessary specialized vehicles and equipment, or to obtain training in the specialized areas of oil rail safety and flammable liquid, and their response time to a significant oil by rail accident could be hours. Moreover, these small departments cannot rely on the assistance of larger, certified departments because those departments could be engaged in an incident locally and would be unavailable.

The Legislature should authorize additional funding to establish regional hazardous materials response teams and otherwise remedy the gaps in local emergency response training, equipment, and planning capabilities needed to adequately prepare for oil by rail incidents.

c. Review & Update of Local, State and Federal Emergency Response Plans

The State of California has several local, state and federal emergency response plans for government agencies to respond to and minimize the impacts of potential hazardous material incidents. These are implemented through various local and regional agencies, including Local Emergency Planning Committees (LEPCs) and six Mutual Aid Regions.

OES is currently leading an effort to review and update the six Regional Plans for Hazardous Materials Emergency Response, with the goal of developing a more

standardized approach to local emergency planning. As part of this assessment and update, OES should incorporate elements for responding to crude oil by rail incidents. OES should also review local Area Plans – plans prepared by local agencies that serve as a blueprint for responding to hazardous materials releases – to determine if updates due to potential increases in oil by rail incidents are appropriate.

In addition, OES, CalEPA and OSPR should partner with US EPA Region 9 and the FRA to undertake a review of local, state and federal emergency response plans to ensure they address the risks associated with increased transportation of oil by rail in California.

d. Improve Emergency Response Capabilities

Emergency responders currently lack basic, critical information needed to help plan for and respond to oil by rail incidents, including what resources railroads can provide in the event of an accident, and how they would respond to potential worst case scenarios.

The recent voluntary agreement between AAR and DOT calls on the railroads to develop an inventory of emergency response resources available in case of a release of large amounts of crude oil along routes over which trains with 20 or more cars of crude oil operate. This inventory will include locations for the staging of emergency response equipment and, where appropriate, contacts for the notification of communities. When the inventory is completed, railroads will provide DOT with information on the deployment of the resources and make the information available upon request to appropriate emergency responders.

In light of this agreement, OES should request that railroads provide a complete inventory of their firefighting and spill recovery resources to the state. Effective response capability planning requires that the state has information in advance on the type of equipment available, strategic location of the resources, as well as the amount accessible. This inventory assessment should also indicate how resources are deployed, the trigger points for deployment, and the contact names and numbers for these resources to be made available to the local emergency responders.

In addition to these resource inventories, OES, in coordination with OSPR, should request that the railroads provide “Worst Case Scenario” plans for responding to a multi-car incident in any part of California.

For oil by rail, a Worst Case Scenario plan would likely involve a major train derailment in a highly populated part of the state with 10 or more tank cars breaching, burning, exploding, and spilling oil downhill, resulting in high loss of life and extensive damage to buildings and communities. An example like this should be used to test the emergency response plans of the county or region that could be affected, and reveal any gaps in the response plans.

With both an inventory of resources and Worst Case Scenario plans from the railroads, state and local emergency responders can effectively test response capabilities and update Regional Plans and local Area Plans.

e. Request Improved Guidance from United States Fire Administration on Resources Needed to Respond to Oil by Rail Incidents

While the International Association of Fire Chiefs has recently provided helpful direction on planning for the safe transport of crude oil by rail, there is a need for additional guidance. Currently, nationwide, response teams and firefighters are unsure of the best response techniques and quantities of resources necessary to respond to oil by rail accidents, especially in light of recent explosions. Lessons can be learned from previous accidents in both the United States and Canada.

OSFM should request that the United States Fire Administration promptly issue guidance on the resources required, including, but not limited to:

- i. Training based upon lessons learned during recent accidents across the United States to prepare firefighters for derailment, spill/leak, and fire risks. Training should highlight best practices from lessons learned from previous incidents and required resources for the hazard classification of this type of crude oil product.
- ii. Provide accessible training in multiple formats (web based, video, or instructor facilitated) that allows for each state's fire service training organization to deliver the training to meet specific needs.

f. Increase Emergency Response Training

California firefighters and first responders lack training in the specialized areas of oil rail safety and flammable liquid, as well as financial resources to attend out of state trainings. To maximize state training capabilities, the state has begun planning for a multi-agency West Coast Regional Training Center in Sacramento. OES and OSFM should seek partnerships with railroads and oil companies to help fund establishment of this center.

3. Request Improved Identifiers on Tank Placards for First Responders

Information about the flash point and vapor pressure of the specific type of crude oil in each tank car is of critical importance in the event of a derailment so that emergency responders can quickly determine what resources and equipment are needed to contain the incident. Currently, this information is on-board the train, but not captured visually on tank car placards. If first responders can quickly identify an incident involving Bakken, or similar crude, from a safe distance by using the visual information on the placard, decisions can be made on whether to attack the fire or spill, or take a more defensive posture and wait for additional resources.

As New York recently concluded in its report, the United Nations, which assigns unique hazardous materials identifiers on tank placards, should recommend new classifications based on crude oil characteristics to enable appropriate packaging and inform response personnel as

to the qualities of the crude oil and the State of California supports this recommendation. This would provide the immediate visual identification required.

Alternatively, if the United Nations does not assign a new classification for this category of crude oil, OES, in coordination with CPUC should recommend that DOT, at a minimum, require some kind of external visual identification on tank cars of Bakken and similar crude, to aid first responders nationwide.

4. Request Railroads to Provide Real-Time Shipment Information to Emergency Responders

As noted, DOT recently issued an order requiring railroads transporting more than 1 million gallons of crude oil from the Bakken shale formation to provide the State Emergency Response Commission (the Chair of the Commission is the Director of OES) with information on expected weekly shipments of crude oil, including number of trains, contents of crude oil, and routes over which material will be transported. Upon receipt, OES will share this data with local, regional, and state emergency response offices throughout the state. OES also will share this information with the public to the maximum extent permitted by DOT rules and other applicable law.

While advance weekly information about crude by rail shipments by county is vital, local and state emergency responders and regulators will also benefit by knowing in actual real-time what is sent into the state, in what quantities, and along which routes.

CPUC and OES should request that Class I railroads operating in California establish a system where emergency responders can securely log-in and access the daily location and status of rail cars and train consists (including hazmat carload detail for Bakken crude oil and other hazardous substances).

5. Request Railroads Provide More Information to Affected Communities

The increase in oil by rail activity has generated considerable interest and concern from communities in which rail facilities are located or rail lines pass through. Communities in particular want more information about what steps the railroads are taking to ensure safety. The CPUC and OES should request that the railroads should provide better outreach programs and more information to communities, including interactive websites and open community forums, and updates on additional voluntary safety advancements.

6. Develop and Post Interactive Oil by Rail Map

The state should develop and post on a public website an interactive map depicting areas along rail lines with potential high vulnerability. The maps include layers that represent the major rail lines in California, locations of earthquake faults near rail lines, natural resource vulnerabilities (water crossings and sensitive ecosystems), population vulnerabilities (populated areas, schools, daycare centers, and hospitals), and rail segments that have an historically high frequency of derailments. The location of certified emergency response hazmat teams should be included. State agencies should update the webpage as relevant, additional information becomes publicly available

7. Request DOT to Expedite Phase Out of Older, Riskier Tank Cars

Currently, as much as 82% of crude oil in the United States is shipped in older model DOT-111 tank cars.²⁴ There is growing evidence that such cars are inadequate to protect against vapor explosions of highly flammable crude such as that from the Bakken shale formation. The remaining 18% of tank cars are new or retrofitted as a result of recent voluntary industry action to increase safety. As noted above, PHMSA is currently considering regulatory changes that will address tank cars. On May 7, 2014, it issued Safety Advisory 2014-01 strongly urging the phase-out of the older DOT-111 tank cars—but it did not require this by any certain date. On April 23, 2014 Canada ordered that older tank cars be phased out by May 2017 and that the least crash-resistant DOT-111 tank cars be removed from dangerous goods service within 30 days.²⁵

The CPUC should request that DOT move expeditiously to finalize new and retrofitted tank car regulations that will result in a more rapid phase out of DOT 111 tank cars.

8. Accelerate Implementation of New Accident Prevention Technology

a. Positive Train Control

Positive Train Control (PTC) is an advanced technology that incorporates GPS tracking to automatically stop or slow trains prior to an accident. In particular, Positive Train Control is designed to prevent train-to-train collisions, derailments caused by excessive speed and unauthorized movement of trains onto sections of track where repairs are being made or as a result of a misaligned track switch. The Rail Safety Improvement Act of 2008 requires Class I railroads to install PTC on tracks that carry passengers or poison- or toxic-by-inhalation materials by the end of 2015.²⁶

The CPUC should request that the FRA identify routes that crude oil trains are expected to run on without PTC in California under current requirements and consider requiring the implementation of Positive Train Control on these routes.

b. Electronically-Controlled Pneumatic Brakes

Electronically controlled pneumatic (ECP) brakes instantly signal a brake application to all cars, whereas current pneumatic brakes rely on lowering the air pressure in the train air brake line that can be well over a mile long. This new braking technology provides faster application of brakes and reduces the chances of brake failure. Although each car in a train and the locomotive must be equipped with this technology, unit trains, which typically are used for oil by rail

²⁴ State of New York, “Transporting Crude Oil in New York State: A Review of Incident Prevention and Response Capacity,” April 30, 2014, <http://www.governor.ny.gov/assets/documents/CrudeOilReport.pdf>.

²⁵ Government of Canada, “Transport Canada takes action in response to TSB’s initial Lac-Mégantic recommendations,” News Release, April 23, 2014, <http://news.gc.ca/web/article-en.do?nid=841129>.

²⁶ Association of American Railroads, “Positive Train Control,” 2013, <https://www.aar.org/safety/Pages/Positive-Train-Control.aspx#.U5DxwHJdVHU>.

transport, are especially suited for this type of technology because all cars travel together and can operate efficiently under an overarching braking system.²⁷

Crude oil trains represent the ideal application of this new technology.²⁸ Unit train cars stay together for long periods of service, new cars are being built, cars are likely undergoing retrofit, and the benefit is magnified by the magnitude of the risk reduction that would be accomplished for these high risk trains.

The CPUC should request that the FRA require electronically-controlled brake technology on crude oil trains.

9. Update California Public Utilities Commission Incident Reporting Requirements

Current CPUC reporting requirements for incidents involving hazardous materials releases have been interpreted by the railroads in varying ways, resulting in some railroads failing to report incidents, or to be late in reporting such incidents.

To ensure adequate and timely reporting, the CPUC should clarify incident reporting requirements for the release of hazardous substances by rail.

10. Request Railroads Provide the State of California with Broader Accident and Injury Data

Under federal law, states are entitled to receive information about railroad accidents and injuries provided to the federal government. However, while individual accident reports are available through the FRA's website, the state does not have access to basic, broader data (that the FRA receives) needed to determine accident and injury rates and trends for railroads operating in California—so called “normalizing data.” This includes information such as the rate of accidents or injuries based on locomotive miles, passenger and freight train miles, number of passengers transported, and employee hours.

The CPUC should request that FRA provide state-specific normalizing data to enable state accident analysis, including trend analysis and risk assessment, to evaluate the risks presented by the transportation of oil by rail. (Notably, the railroads previously provided the state with this type of state-specific normalizing data for many years, but not more recently.)

11. Ensure Compliance with Industry Voluntary Agreement

As noted, earlier this year the railroad industry agreed with DOT to implement eight voluntary safety measures. While significant, these measures are only voluntary. To ensure that they are fully enforceable by federal and state authorities, DOT should codify the agreement into regulation. In the meantime, it is important for the state to monitor the agreement and ensure that the railroads comply with its provisions, as noted below. In addition, the agreement should be strengthened in several areas.

²⁷ Unit trains are freight trains carrying a single commodity that is bound for a single destination. Currently, unit trains carrying crude oil are generally between 70 to 100 cars long.

²⁸ Federal Railroad Administration (2006), Final Report, Booz Allen Hamilton.

- ***Increased Track Inspections*** – The voluntary agreement calls for additional internal rail and comprehensive track geometry inspections by the railroads.

The CPUC should monitor and publicly report the extent of railroad compliance with these inspection requirements on crude oil routes. In addition, to the extent consistent with its existing inspection mandates, the PUC should conduct at least one additional inspection of the crude oil routes each year.

- ***Braking Systems*** – The agreement requires better braking systems that will allow train crews to apply emergency brakes from both ends of the train in order to stop trains faster. This end-of-train braking technology has been required for many years on certain trains and railroad grades, but the voluntary agreement goes beyond this by requiring it on crude oil trains regardless of the existing criteria.

The CPUC should request that railroads document where the voluntary agreement adds this requirement, that is, where crude oil trains travel and the existing regulation does not apply. The CPUC should also request information on, and monitor, the extent to which the railroads have complied with this request and consider ways to enforce these voluntary braking applications.

- ***Use of Rail Traffic Routing Technology*** – The agreement calls for railroads to use a more sophisticated risk management tool that accounts for multiple risk factors in determining the safest and most secure rail routes for trains with 20 or more cars of crude oil.

The CPUC should ask the FRA to provide the analysis and results of the route analyses outlined above. This will enable the CPUC to better plan its inspection and risk prevention activities.

- ***Lower Speeds*** – The agreement provides for lower speed limits (no more than 40 miles per hour) for crude oil trains of more than 20 cars containing older tank cars in federally designated “high-threat-urban areas.”

This designation may omit areas of California where lower speed limits could reasonably enhance safety. The CPUC should complete a survey of speed limits on California railroads and determine whether there are additional areas where lower speed limits might be appropriate. If, after the survey, speed reductions in particular areas appear warranted, the CPUC should petition the FRA to consider additional speed restrictions.

In addition, the CPUC should develop a proposal for monitoring and enforcing the new speed limits outlined in the voluntary agreement.

- ***Increased Trackside Safety Technology*** – The agreement calls for railroads to employ wayside wheel bearing detectors every 40 miles along tracks with trains carrying 20 or more crude oil cars.

To ensure that optimal intervals are established for the defect, the CPUC should inventory wayside train inspection technology on crude oil shipment routes, and recommend additional actions, if necessary.

12. Ensure State Agencies Have Adequate Data

Multiple state agencies need timely and complete data to successfully evaluate and regulate the risks from oil by rail transport. This is highlighted throughout the recommendations in this report such as the need for real-time shipment information, and state-specific normalizing accident and injury data. Other data is critical for agencies such as the California Energy Commission and the Department of Oil and Gas and Geothermal Resources to analyze trends in petroleum demand and sources of oil and gas production,

State agencies currently are working to identify what data they have and where there may be potential data gaps, and should work with federal agencies and the rail industry to obtain the information needed to fill those data gaps.

State agencies should put in place or strengthen existing measures, to the extent that such measures are inadequate, to protect confidential business information and data that may impact national security.

V. Conclusion

Transportation of oil by rail has dramatically increased in recent years and will likely continue to increase in the future, both nationally and in California, because of the increased oil production from the Bakken shale and other oil fields. Current regulations and industry practices are not adequate given this recent boom. Minimizing the potentially serious risks of transporting oil by rail will require strengthened federal requirements, expedited tank car upgrades, and other proactive measures by industry. It will also require additional resources, planning and preparation, and coordination among local and state agencies.

This report represents interim recommendations of the interagency Rail Safety Working Group. The group will continue to meet and refine recommendations and actions in light of new information.

Appendix

Agency Glossary

CalEPA	California Environmental Protection Agency
CalTech	California Department of Technology
CEC	California Energy Commission
CNRA	California Natural Resources Agency
CPUC	California Public Utilities Commission
DOGGR	Department of Oil, Gas and Geothermal Resources
DTSC	Department of Toxic Substances Control
OES	California Office of Emergency Services
OSFM	Office of the State Fire Marshal
OSPR	Office of Spill Prevention and Response

Recommendations by Agency

Lead Agency (or Agencies)	Recommendation
OES, CPUC, OSPR, EPA, CTA	Develop and post on a public website an interactive map depicting areas along rail lines with potential high vulnerability
OES, CPUC, OSPR, EPA, CEC, DOGGR	Identify any data gaps state agencies have and work with federal agencies and railroad industry to address
State Legislature	Approve the proposal in the Governor's Budget to add seven rail inspectors to the CPUC
State Legislature	Approve the proposal in the Governor's Budget to extend the per barrel oil fee to establish an inland oil spill preparedness and response program
State Legislature	Approve funding to establish regional hazardous materials response teams and otherwise remedy the gaps in local emergency response programs needed to adequately prepare for oil by rail incidents

OSPR	Establish inland oil spill preparedness and response program, upon funding by Legislature
OES	Incorporate elements for responding to crude oil by rail incidents in the assessment and update of the six Regional Plans for Hazardous Materials Emergency Response
OES	Review local Area Plans to determine if updates due to l increases in oil by rail incidents are appropriate
OES	Partner in coordination with CalEPA and OSPR with US EPA Region 9 and the FRA to undertake a review of local, state and federal emergency response plans
OES	Request that railroads provide a complete inventory of their firefighting and spill recovery resources (as outlined in the voluntary agreement)to the state
OES	Request (in coordination with OSPR) that the railroads provide “Worst Case Scenario” plans for responding to a multi-car incident in any part of California
OES	Recommend (in coordination with CPUC) that DOT require external visual identification on tank cars of Bakken and similar crude to aid first responders
OES	Request (in coordination with CPUC) that Class I railroads operating in California establish a system where emergency responders can securely log-in and access the daily location and status of rail cars and train consists
OES	Request (in coordination with CPUC) that the railroads provide better outreach programs and more information to communities
OSFM	Request that the United States Fire Administration promptly issue guidance on the resources required to respond to oil by rail accidents
OSFM	Seek partnerships (in coordination with OES) with railroads and oil companies to help fund establishment of a West Coast Regional Training Center
CPUC	Request that DOT move expeditiously to finalize new and retrofitted tank car regulations
CPUC	Request that the FRA identify routes that crude oil trains are expected to run on without PTC in California under current requirements and consider requiring the implementation of PTC on these routes
CPUC	Request that the FRA require electronically-controlled pneumatic brake technology on crude oil trains
CPUC	Clarify incident reporting requirements for the release of hazardous substances by rail

CPUC	Request that FRA provide California with normalized data to enable accident and injury analysis
CPUC	Monitor and publicly report the extent of railroad compliance with inspection requirements on crude oil
CPUC	Conduct at least one additional inspection of the crude oil routes each year, consistent with existing inspection requirements
CPUC	Request information on, and monitor, the extent to which the railroads have complied with the braking systems request (as outlined in the voluntary agreement)
CPUC	Ask the FRA to provide the results of the route analyses outlined in the voluntary agreement
CPUC	Complete a survey of speed limits on California railroads and determine whether there are additional areas where lower speed limits might be appropriate and if warranted, petition the FRA to consider additional restrictions
CPUC	Develop a proposal for monitoring and enforcing the new speed limits outlined in the voluntary agreement
CPUC	Inventory wayside train inspection technology on crude oil shipment routes

HazMat Team Location

- Type 1 & 2 (4/17/2014)
- Type 3 (4/17/2014)
- Non-Certified HazMat Team (3/10/2014)

Highway

County Line

High Hazard Areas

Stream Intersection

Known Geologic Fault

BNSF and UPRR Rail Lines

Population Center (Incorporated Area)

Sensitive Species or Habitat Occurrence



California Department of Fish and Wildlife
Office of Spill Prevention and Response



Data Source: CDFW, CDOC, CPUC, CalOES
Requestor: Rail Task Force
Author: J. Muskat
Date Created: 6/10/2014



NAD 1983 California Teale Albers

Crude By Rail Areas of Concern



0 25 50 75 100
Miles