

City of Carpinteria
City Council Regular Meeting Agenda
Monday, January 10, 2022
Council Chamber, 5775 Carpinteria Avenue

5:30 p.m. Regular Meeting
In-Person and Virtual Participation Options

* Amended Agenda

IN RESPONSE TO THE GOVERNOR'S ISSUANCE OF EXECUTIVE ORDER N-07-21, WHICH FORMALLY RESCINDED CALIFORNIA'S STAY-AT-HOME ORDER ISSUED LAST IN MARCH 2020, EXECUTIVE ORDER N-08-21, AND SANTA BARBARA COUNTY HEALTH OFFICER ORDER 2021-10.3, THE CITY OF CARPINTERIA HAS MADE THE DECISION TO PROVIDE BOTH IN-PERSON AND VIRTUAL ATTENDANCE AND PARTICIPATION OPTIONS AVAILABLE FOR THIS MEETING.

To minimize the potential spread of the COVID-19 virus, the County of Santa Barbara is requiring all individuals to wear face coverings while inside City Council Chambers, regardless of vaccination status.

Attendance/Viewing Options:

- Attend the in-person meeting in City Council Chambers at City Hall (5775 Carpinteria Ave.) Please note that, per Health Officer Order 2021-10.3, the County of Santa Barbara requires all individuals to wear face coverings while indoors, regardless of vaccination status.
- View the meeting live through the City's website (<https://carpinteria.ca.us/city-hall/agendas-meetings>) on your computer, tablet or smartphone.
- View the meeting on Government Access Television Channel 21 (broadcast live and rebroadcast on the Wednesday and the Saturday following the meeting at 8:00 p.m. and 5:00 p.m., respectively).
- Call 669-900-9128 (and enter Webinar ID 889 0390 2262) to listen to the meeting on your phone.
- Join the City's Zoom webinar from your computer, tablet, or smartphone by [CLICKING HERE](#). Alternatively, you can join the Zoom webinar by logging on to www.zoom.us, downloading the application, selecting "Join Meeting", and entering Webinar ID 889 0390 2262.

Public Comments

- Provide a live public comment during the in-person meeting in City Council Chambers at City Hall (5775 Carpinteria Ave.). Please note the City has the

discretion to limit both the overall and individual speaker time for any meeting or agenda matter. Typically, the Council's practice has been to limit each speaker to three minutes.

- Coordinate with the City Clerk to provide a live public comment (as either a general public comment or on a specific agenda item) by phone by sending an email to PublicComment@ci.carpinteria.ca.us by **12:00 P.M. on the day of the meeting** and including the following information in your email: (1) the meeting date and agenda item (number and title) on which you wish to speak, (2) your full name, (3) your call back number and area code. During public comment on the agenda item specified in your email, City staff will make every effort to contact you via your provided telephone number so that you can provide public comment telephonically. Please note the City has the discretion to limit the speaker's time for any meeting or agenda matter. Typically, the practice has been 3 minutes per speaker on each item.
- Provide a live comment through the City's Zoom webinar platform (through the link provided above). To make public comments through this platform please use the "raise your hand" feature to notify staff that you would like to make a public comment during designated public comment times. Once it is your turn to provide a public comment, staff will unmute your microphone and you will be given a designated amount of time to provide your comment (typically, the practice has been up to 3 minutes per speaker on each item). At the end of your comment, staff will once again mute your microphone.
- Submit a written comment (as either a general public comment or on a specific agenda item) to be distributed to Council Members by **12:00 P.M. on the day of the meeting** by either submitting your comment via (1) email to PublicComment@ci.carpinteria.ca.us, or (2) the **eComment** link on the City's agenda website (<https://carpinteria.ca.us/city-hall/agendas-meetings>). Please reference the agenda item to which your comment pertains. Note that written comments will not be read into the record during the meeting.

Please note that the City will make every effort to make the meeting accessible virtually; however, if one of the above virtual attendance/viewing or public comment options is unavailable due to technological issues, you are invited to take advantage of one of the other participation options outlined above (including attending and providing public comment in-person in the City Council Chambers). Additional options may be made available at the meeting.

Additionally, as the situation with COVID-19 continues to evolve, the City will provide updates on any changes to this policy as soon as possible. The public is referred to the City's website at www.carpinteria.ca.us for the latest COVID-19 policies and information. The City of Carpinteria thanks you in advance for taking all precautions to prevent spreading the COVID-19 virus.

Also, please note that Spanish interpretation will be available at the in-person meeting (but will not be available through the City's Zoom webinar).

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS

1. Proclamation Recognizing 2021 Outgoing Santa Barbara Association of Realtors President Brian Johnson.
2. Proclamation Designating January 2022 as "Human Trafficking Awareness Month".
3. Proclamation Designating January 2022 as Carpinteria Business Month.

PUBLIC INFORMATION REPORTS AND ANNOUNCEMENTS

This may include updates on law enforcement activity within the City from a Sheriff's Office representative.

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.

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. The audio-visual system in the Council Chamber is not available for speaker use during the general Public Comment period.

Please be aware that items on the consent calendar are considered to be routine and are normally enacted by one unanimous vote of the Council. If you wish to speak on a consent calendar item, or on a matter scheduled for consideration in a closed session at the end of

the agenda, please do so during the Presentations by Citizens/Public Comment portion of the meeting.

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

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

CONSENT CALENDAR:

4. Approve the minutes of the regular City Council meeting of December 13, 2021.
5. Receive and file the Expenditures for the period beginning December 4, 2021 and ending December 31, 2021.
6. Receive and file the Monthly City Treasurer's Report on Compliance with Statement of Safekeeping and Investment of Public Funds.
7. Second Reading and adoption of Ordinance No. 750, adding Article V (Specific Regulations for Organics Waste Disposal, Reduction, Recycling, and Solid Waste Collection) to Chapter 8.08 (Integrated Waste Management) of the Carpinteria Municipal Code.
8. Adoption of the attached Resolution No. 6080, authorizing a change of signature on City bank accounts.
9. Approve Declaration of City-owned Property/Equipment as Surplus Assets.

ADMINISTRATIVE MATTERS:

10. Advance purchase of a prefabricated restroom building for installation at the future Carpinteria Skate Park located at City Hall, 5775 Carpinteria Avenue.

Recommendation: Authorize the City Manager to issue a purchase order for a restroom building for installation at the future Carpinteria Skate Park located at City Hall, 5775 Carpinteria Avenue. *(This motion requires a roll call vote.)*

Staff Presenter: Matt Roberts, Parks, Recreation and Public Facilities Director

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

11. Resolution No. 6086, Authorizing the Execution of a Freeway Maintenance Agreement with the State of California Department of Transportation for the Highway 101 Carpinteria to Santa Barbara Project – Phase 4A.

Recommendation: Adopt Resolution No. 6086, authorizing the execution of a Freeway Maintenance Agreement with the State of California Department of Transportation for the Highway 101 Carpinteria to Santa Barbara Project – Phase 4A. *(This motion requires a roll call vote.)*

Staff Presenter: John L. Ilasin, Public Works Director

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

12. Adoption of Resolution No. 6079, concerning authorization to submit the Local Coastal Program Planning Grant Round 7 Application to the California Coastal Commission (Coastal Commission) and execute necessary agreements for updating the City of Carpinteria Coastal Land Use Plan/General Plan and Zoning Ordinance.

Recommendation: Adopt Resolution No. 6079, authorizing the Community Development Director to submit a planning grant application to the California Coastal Commission for support of the Carpinteria Coastal Land Use Plan (CLUP)/General Plan and Zoning Ordinance updates, and to update related consultant services agreements. *(This motion requires a roll call vote.)*

Staff Presenter: Steve Goggia, Community Development Director

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

PUBLIC HEARING: NONE

OTHER BUSINESS:

13. Certification of Sufficiency of the initiative petition titled “An Initiative Measure to Change and/or Readopt the City of Carpinteria’s General Plan Designation and Zoning Designation for Two Parcels of City-Owned Property (APN 004-105-011 and APN 004-105-026) Located Adjacent to the Railroad Tracks to the West of Linden Avenue and to Amend the Definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land Use Element” (“Initiative”).

Recommendation: Adopt Resolution No. 6081, accepting the City Clerk's Certificate of Sufficiency of the Initiative Petition.

Staff Presenter: Dave Durflinger, City Manager

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

14. Consideration of actions in response to the City Clerk's certification of the results of the examination of the petition for the initiative measure titled "An Initiative Measure to Change and/or Readopt the City of Carpinteria's General Plan Designation and Zoning Designation for Two Parcels of City-Owned Property (APN 004-105-011 and APN 004-105-026) Located Adjacent to the Railroad Tracks to the West of Linden Avenue and to Amend the Definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land Use Element" ("Initiative"), including (1) adoption of the Initiative by ordinance or (2) calling an election and submitting the Initiative to the voters by either (a) placing the Initiative on the ballot for the City of Carpinteria's ("City") next regular election or (b) calling a special election.

* Recommendation: Either (1) adopt the Initiative by adopting Ordinance No. 751 (see Attachment A) and adopting Resolution No. 6096 (see Attachment B) or (2) submit the Initiative to voters by (a) placing the Initiative on the ballot for the City's next regular election or (b) calling a special election. If the Council votes to submit the Initiative to voters, it must take the necessary actions to place the Initiative on the ballot for the City's next regular election scheduled for November 8, 2022 or call a special election for April 12, 2022 or April 19, 2022.

Staff Presenter: Dave Durflinger, City Manager

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

LEGISLATIVE UPDATE: The City Council will discuss local, state and/or federal legislation under consideration and decide whether to direct staff to place a matter(s) on a future City Council agenda for consideration.

TEMPORARY ADJOURNMENT FOR THE PURPOSE OF HOLDING THE MONTHLY MEETING OF THE CARPINTERIA LIBRARY BOARD OF TRUSTEES

RECONVENE THE REGULAR MEETING OF THE CITY COUNCIL

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) (Clark/Alt. Carty)
- b. California Joint Powers Insurance Authority (CJPIA) (Clark/Alt. Carty)
- c. Channel Counties Division, League of California Cities (Nomura/Alt. Lee)
- 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 Affordable Housing Task Group (Carty & Alarcon)
- g. Santa Barbara County Elected Leaders Forum to Address Homelessness (Clark/Alt. Alarcon)
- h. Home for Good of Santa Barbara County (Clark/Alt. Alarcon)
- i. South Coast Youth Safety Partnership (Lee & Alarcon)
- J. Central Coast Community Energy (3CE) (Nomura/Alt. Goleta)
- k. Multijurisdictional Solid Waste Task Group (Lee/Alt. Alarcon)

2. Joint and Standing Committees

- a. City Council/Economic Vitality Committee (Carty & Lee)
- b. City Council/Public Safety Committee (Clark & Nomura)
- c. City Council/School Board Committee (Lee & Alarcon)
- d. City Council/Utilities Committee (Lee & Nomura)
- e. City Council/First District Supervisor Committee (Lee & Carty)
- f. City Council Finance/Budget Committee (Carty & Clark)
- g. Transportation Committee (Lee & Clark)
- h. Development Review Committee (Joint Committee membership from City Council, Planning Commission and Architectural Review Board) (CC: Clark & Nomura/Alt. Carty) (PC: Benefield and Callender) (ARB: Reginato and Stein)
- i. General Plan and Coastal Plan Update Committee (Joint Committee membership from City Council and Planning Commission) (Clark & Lee) (PC: Allen/Callender)
- j. Public Facility Site Acquisition/Development Committee (Carty & Nomura)

3. Ad Hoc Committees

- a. Library Committee (Lee & Alarcon/Alt. Carty)
 - b. District Elections Committee (Alarcon & Clark)
 - c. COVID-19 Communications Committee (Clark & Nomura)
 - d. COVID-19 Recovery Committee (Carty & Lee)
 - e. Racial Equity and Social Justice Program Planning Committee (Nomura & Alarcon)
 - f. Harbor Seal Advisory Committee (Clark & Lee)
4. City Representatives on other Committees
- a. Community Media Access Center (Gary Dobbins)
 - b. Santa Barbara Mosquito and Vector Management District (Joe Franken)
 - c. Santa Barbara Metropolitan Transit District (Chuck McQuary)
 - d. County Library Advisory Committee (Gail Marshall)

ATTENDANCE OF COUNCILMEMBERS FOR FUTURE MEETINGS

ADJOURNMENT

The next regular meeting of the City Council will be held January 24, 2022 at 5:30 p.m.

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 755-4403 or the California Relay Service at (866) 735-2929. Notification two business days prior to the meeting will enable the City to make reasonable arrangements for accessibility to this meeting.

Materials related to an agenda item submitted to the City Council after distribution of the agenda packet are available for public review at the City Clerk's Office.

This agenda was posted on Wednesday, January 5, 2022, in the City Clerk's Office, on the City Hall Public Notices Window, and on the Internet.



PROCLAMATION

PROCLAMATION OF THE CARPINTERIA CITY COUNCIL RECOGNIZING 2021 OUTGOING SANTA BARBARA ASSOCIATION OF REALTORS PRESIDENT BRIAN JOHNSON

WHEREAS, the Santa Barbara Association of REALTORS® is celebrating 114 years of service to the local communities of Carpinteria, Summerland, Montecito, Santa Barbara, Goleta and Gaviota; and

WHEREAS, during 2021, Santa Barbara Association of REALTORS® President of the Board, Brian Johnson, has displayed his leadership skills in organizing a variety of events and fundraising campaigns to enhance the quality of life for those who live in these communities, in keeping with the 114-year-old tradition; and

WHEREAS, President Brian Johnson helped secure \$52,000 in cash donations from the Santa Barbara Association of REALTORS® to help fund Friendship Center; and

WHEREAS, President Brian Johnson persevered and led the organization through the continued upheaval and uncertainty of the COVID-19 pandemic; and

WHEREAS, Brian Johnson supported the membership with constant communication and educational opportunities; and

WHEREAS, President Johnson provided pertinent and timely information to the community regarding the real estate profession; and

WHEREAS, President Brian Johnson crafted a change in the Clear Cooperation rule that is within NAR policy, yet gives our members more freedom by clearly defining that it is permissible to answer questions from an agent's direct inquiry about an office exclusive listing; and

WHEREAS, as a member of the National Association of REALTORS®, a Director for the California Association of REALTORS®, and Director for Californians for Homeownership, President Johnson has displayed his interest and participation in various governmental and outreach programs by speaking eloquently before government parties advocating for REALTORS® and homeowners; and

WHEREAS, in addition to his many duties to the real estate community, Brian Johnson is the loving husband to Erin and father to Cristian and Elena; and

NOW, THEREFORE, BE IT RESOLVED, that I as Mayor of the City of Carpinteria offer a deep appreciation for President Brian Johnson's ability to exhibit strong leadership and strength in character in service to his community and the membership of the Santa Barbara Association of REALTORS® for the year of Two Thousand and Twenty One.

IN WITNESS THEREOF, as Mayor, I have hereunto set my hand and caused the official seal of the City of Carpinteria, California, to be affixed this 10th day of January, 2022.

ATTEST:

Brian C. Barrett,
Acting City Clerk



Wade T. Nomura, Mayor

PROCLAMATION



A PROCLAMATION OF THE CARPINTERIA CITY COUNCIL DESIGNATING JANUARY 2022 AS "HUMAN TRAFFICKING AWARENESS MONTH"

WHEREAS, human trafficking is a form of modern slavery that occurs in every state, including California, wherein victims are forced to work in various forms of labor exploitation including, but not limited to, commercial sex acts and other services that are induced through force, fraud, or coercion; and

WHEREAS, due to its isolated and discrete nature, many individuals across the globe are unaware that trafficking exists in their communities; and

WHEREAS, it is estimated that more than 40 million people around the world are victims of human trafficking; and

WHEREAS, Human Trafficking victims face a cruelty that has no place in a civilized world. It is a crime that can take many forms, and one that tears at our social fabric, debases our common humanity, and violates what we stand for as a country; and

WHEREAS, increased education about how to identify human trafficking along with increased knowledge of in-state resources and services for those affected by criminal exploitation can help decrease the number of future victims; and

WHEREAS, the Santa Barbara County Human Trafficking Task Force is committed to creating legal frameworks for investigating human trafficking and prosecuting those engaged in it; and

WHEREAS, the Santa Barbara County Human Trafficking Task Force has worked diligently to bring awareness to the fact that human trafficking occurs closer to home than one might think, and that California ranks number 1 in the country for reported human trafficking cases; and

WHEREAS, Human Trafficking Awareness Month is an opportunity to recognize the critical role all Carpinteria residents play in preventing, reporting, and adjudicating these heinous crimes;

NOW, THEREFORE, I, Mayor Wade T. Nomura, do hereby recognize January 2022 as "HUMAN TRAFFICKING AWARENESS MONTH" in our **CITY OF CARPINTERIA**, and I call this observance to the attention of all our citizens.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Official Seal of the City of Carpinteria, California, to be affixed this 10TH day of January, 2022.

Wade T. Nomura, Mayor
City of Carpinteria

ATTEST:

Brian C. Barrett, Acting City Clerk
City of Carpinteria





PROCLAMATION

PROCLAMATION OF THE CARPINTERIA CITY COUNCIL DESIGNATING JANUARY 2022 AS CARPINTERIA BUSINESS MONTH

WHEREAS, the City of Carpinteria depends on the success of its local business community to support various municipal services with local tax dollars to enhance the quality of life of the people of Carpinteria; and

WHEREAS, the local business community is a vital part of the growth and success of local schools, area non-profits and volunteer projects featuring hands-on and financial support of many dedicated local business leaders and their employees; and

WHEREAS, the local business community has been responsible for a significant amount of private sector employment opportunities within the community, helping to ensure that our local workforce remains competitive and strong; and

WHEREAS, the City of Carpinteria increased support to local business during the COVID-19 pandemic through the COVID-19 Small Business Relief Grant Program, created the City Hub with information and economic resources for business, and hand delivered Public Health Officer Order information specific to the business community; and

WHEREAS, the Santa Barbara South Coast Chamber of Commerce has represented local business interests to help build a strong local economy and a positive quality of life; and

WHEREAS, Since 1912 a Chamber of Commerce has represented local business interests to help build a strong local economy and a positive quality of life; and

WHEREAS, the Santa Barbara South Coast Chamber of Commerce works alongside the City of Carpinteria to create a bridge between local business goals and those of the City's elected and appointed officials to implement positive economic, public health and safety, and environmentally protective public policies.

NOW, THEREFORE, BE IT RESOLVED, that in recognition of local businesses and the work of the Santa Barbara South Coast Chamber of Commerce, January 2022 is hereby designated as **Carpinteria Business Month** in the City of Carpinteria.

IN WITNESS THEREOF, as Mayor, I have hereunto set my hand and caused the official seal of the City of Carpinteria, California, to be affixed this 10th day of January, 2022.

ATTEST:

Wade T. Nomura, Mayor

Brian C. Barrett, Acting City Clerk



**City of Carpinteria
City Council Minutes
Regular Meeting
Monday, December 13, 2021**

In-Person and Virtual

Acting City Clerk Brian C. Barrett noted for the record that in response to the Governor's Executive Orders N-07-21 and N-08-21, the City of Carpinteria has made the decision to provide both in-person and virtual attendance and participation options available to the public for this meeting and additionally noted the protocols by which the public could participate and should one of the virtual attendance/viewing or public comment options be unavailable due to technological issues, the public is invited to take advantage of one of the other participation options available.

CALL TO ORDER

Mayor Nomura called the meeting to order at 4:02 pm.

ROLL CALL

Councilmembers present: Councilmember Natalia Alarcon
Councilmember Gregg A. Carty
Councilmember Roy Lee
Vice Mayor Al Clark (arrived at 4:05 pm)
Mayor Wade T. Nomura

Staff members present: Dave Durflinger, City Manager
Jena Shoaf Acos, on behalf of Brownstein Hyatt Farber
Schreck, LLP acting as City Attorney of the City
of Carpinteria
Brian C. Barrett, Acting City Clerk
Laura Hernández, Human Resources/Risk Manager

PUBLIC COMMENT ON CLOSED SESSION MATTERS

There was no public comment.

CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATOR(S)
Government Code Section 54957.6; City Negotiator(s): Laura Hernandez, Human Resources Administrator and Dave Durflinger, City Manager;
Employee Organization: Service Employees International Union (SEIU) Local 620

TEMPORARY ADJOURNMENT TO CLOSED SESSION

Mayor Nomura temporarily adjourned to Closed Session at 4:03 pm.

CALL TO ORDER

Mayor Nomura called the meeting to order at 5:31 pm.

ROLL CALL

Councilmembers present: Councilmember Natalia Alarcon
Councilmember Gregg A. Carty
Councilmember Roy Lee
Vice Mayor Al Clark
Mayor Wade T. Nomura

Staff members present: Dave Durflinger, City Manager
Jena Shoaf Acos, on behalf of Brownstein Hyatt Farber
Schreck, LLP acting as City Attorney of the City
of Carpinteria
Brian C. Barrett, Acting City Clerk
Laura Hernández, Human Resources/Risk Manager
Michael Ramirez, Assistant City Manager
John L Ilasin, Public Works Director
Olivia Uribe Mutal, Program Manager
Erin Maker, Environmental Program Manager (present
via Zoom)
Steve Goggia, Community Development Director
Matt Roberts, Parks, Recreation & Public Facilities
Director

CLOSED SESSION REPORT

Human Resources/Risk Manager Hernández announced that there was no reportable action from the Closed Session.

PLEDGE OF ALLEGIANCE

Mayor Nomura led those present in the salute to the flag.

TEMPORARY ADJOURNMENT FOR THE PURPOSE OF HOLDING THE MONTHLY MEETING OF THE CARPINTERIA LIBRARY BOARD OF TRUSTEES

Mayor Nomura temporarily adjourned the meeting at 5:34 pm.

RECONVENE THE REGULAR MEETING OF THE CITY COUNCIL

Mayor Nomura reconvened the meeting at 5:44 pm.

INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS

Emails distributed: Russell Ruiz

Motion by Councilmember Lee, seconded by Councilmember Carty, to approve the Proclamation Commending the Carpinteria High School Boys Water Polo Team for Winning the CIF Championships for the First Time in History. Upon voice vote, the motion carried unanimously. Mayor Nomura and the City Council congratulated and presented the Proclamation to the Carpinteria High School Boys Water Polo Team.

2. Proclamation Commending the Carpinteria High School Boys Water Polo Team for Winning the CIF Championships for the First Time in History.

PUBLIC INFORMATION REPORTS AND ANNOUNCEMENTS

Lieutenant Butch Arnoldi with the Santa Barbara County Sheriff's Department provided an update on crime in the City.

CITY MANAGER'S REPORT

City Manager Durlinger introduced Michael Ramirez as the City's Assistant City Manager. Mr. Ramirez thanked staff and the City Council gave him a warm welcome.

PRESENTATIONS BY CITIZENS / PUBLIC COMMENT

There was no in-person public comment nor speakers via Zoom.

Emails distributed: Janet and Andrew Klimowich and Michelle Doyle

AGENDA MODIFICATIONS: NONE

CONSENT CALENDAR:

Emails distributed: Russell Ruiz (for Agenda Item No. 6)

Motion by Councilmember Lee, seconded by Vice Mayor Clark, to approve the Consent Calendar Item Nos. 3 through 6. The roll call vote was as follows:

AYES: Councilmember Alarcon, Councilmember Carty, Councilmember Lee, Vice Mayor Clark, and Mayor Nomura

NOES: None

ABSENT: None

ABSTAIN: None

The motion carried unanimously.

3. Approve the minutes of the regular City Council meeting of November 22, 2021 and the minutes of the special City Council meeting of November 29, 2021.
4. Receive and file the Expenditures for the period beginning November 13, 2021 and ending December 3, 2021.
5. Receive and file the Monthly City Treasurer's Report on Compliance with Statement of Safekeeping and Investment of Public Funds.
6. Approve the term extension for an Operating Agreement between the City and California Department of Parks & Recreation concerning use and maintenance of portions of Carpinteria State Beach generally located adjacent the south end of Linden Avenue.

ADMINISTRATIVE MATTERS:

7. Amendment No. 2 to Agreement with West Coast Arborists, Inc. for a One-Year Term Extension and Increase to Related Costs to Provide Tree Maintenance Services.

Recommendation: Authorize the City Manager to execute Amendment No. 2 to the Agreement with West Coast Arborists, Inc. for a one-year term extension to provide tree maintenance services in an amount not-to-exceed \$144,577 for a total amended agreement amount of \$648,179. *(This motion requires a roll call vote.)*

Staff Presenter: John L. Ilasin, Public Works Director

There was no public comment.

Motion by Vice Mayor Clark, seconded by Councilmember Alarcon, to authorize the City Manager to execute Amendment No. 2 to the Agreement with West Coast Arborists, Inc. for a one-year term extension to provide tree maintenance services in an amount not-to-exceed \$144,577 for a total amended agreement amount of \$648,179. The roll call vote was as follows:

AYES: Councilmember Alarcon, Councilmember Carty, Councilmember Lee, Vice Mayor Clark, and Mayor Nomura

NOES: None

ABSENT: None

ABSTAIN: None

The motion carried unanimously.

8. Scheduling a special meeting of the City Council for consideration of the Annual Work Plan.

Recommendation: Schedule a special City Council meeting for consideration of the Annual Work Plan, to be held from 8:00 a.m. to approximately noon, Saturday, January 22, 2022.

Staff Presenter: Dave Durflinger, City Manager

There was no public comment.

Motion by Councilmember Alarcon, seconded by Vice Mayor Clark, to schedule a special City Council meeting for consideration of the Annual Work Plan, 8 a.m. to approximately noon, Saturday, January 22, 2022. The roll call vote was as follows:

AYES: Councilmember Alarcon, Councilmember Carty, Councilmember Lee, Vice Mayor Clark, and Mayor Nomura

NOES: None

ABSENT: None

ABSTAIN: None

The motion carried unanimously.

PUBLIC HEARING:

9. City Council District Mapping, Second Pre-Map Hearing: Presentation around the principles of districting, opportunity for pre-map public input on communities of interest and city districts. Presentation from the public of any maps identifying communities, discussion of preferences of neighborhoods, geographic or other features that should be considered in drawing of public plans.

Recommendation: Receive the staff presentation, open the public hearing and receive public comment, close the public hearing and schedule the next meeting.

Staff Presenter: Dave Durflinger, City Manager, Olivia Uribe Mutal, Program Manager, and Sophia Garcia with Redistricting Partners (Ms. Garcia was present via Zoom)

Mayor Nomura opened up the public hearing at 6:55 pm.

Emails distributed: Russell Ruiz

Speakers via Zoom: Mike Wondolowski

Mayor Nomura closed the public hearing at 6:57 pm.

Motion by Councilmember Lee, seconded by Councilmember Alarcon, to receive and file the presentation and public comments received to date. The roll call vote was as follows:

AYES: Councilmember Alarcon, Councilmember Carty, Councilmember Lee, Vice Mayor Clark, and Mayor Nomura
NOES: None
ABSENT: None
ABSTAIN: None

The motion carried unanimously.

10. Ordinance No. 750, adding Article V (Specific Regulations for Organics Waste Disposal, Reduction, Recycling, and Solid Waste Collection) to Chapter 8.08 (Integrated Waste Management) of the Carpinteria Municipal Code.

Recommendation: Approve Ordinance No. 750, waive further reading, introduce as read by title only, and continue to January 10, 2022 for second reading and adoption.

Staff Presenter: John L. Ilasin, Public Works Director, Erin Maker, Environmental Program Manager (Ms. Maker was present via Zoom), and Kim Nilsson with Solid Waste Solutions, Inc.

Mayor Nomura opened the public hearing at 7:22 pm and being there was no public comment, closed the public hearing at 7:22 pm.

City Manager Durlinger noted that since this was the first reading of Ordinance No. 750, there was no need to waive further reading as that will occur at the second reading of Ordinance No. 750.

Motion by Councilmember Alarcon, seconded by Vice Mayor Clark, to approve Ordinance No. 750, waive further reading, introduce as read by title only, and continue for adoption to January 10, 2022.

Mayor Nomura reminded staff's modification to strike "waive further reading" from the motion.

Councilmember Alarcon amended the motion, and Vice Mayor Clark seconded the amended motion, to approve Ordinance No. 750, introduce as read by title only, and continue for adoption to January 10, 2022. The roll call vote on the amended motion was as follows:

AYES: Councilmember Alarcon, Councilmember Carty, Councilmember Lee, Vice Mayor Clark, and Mayor Nomura

NOES: None

ABSENT: None

ABSTAIN: None

The motion carried unanimously.

OTHER BUSINESS:

11. A report to the City Council pursuant to California Elections Code Section 9212 ("9212 Report") analyzing the impacts and effects of a proposed "Initiative Measure to Change and/or Readopt the City of Carpinteria's General Plan Designation and Zoning Designation for Two Parcels of City-Owned Property (APN 004-105-011 and APN 004- 105-026) Located Adjacent to the Railroad Tracks to the West of Linden Avenue and to Amend the Definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land Use Element" ("Initiative"). This Initiative was put forth by proponents in response to the Surfliner Inn Project.

Recommendation: Receive and file the 9212 Report analyzing the impacts and effects of the proposed Initiative measure.

Staff Presenter: Dave Durflinger, City Manager, Steve Goggia, Community Development Director, and Jena Shoaf Acos, on behalf of Brownstein Hyatt Farber Schreck, LLP acting as City Attorney of the City of Carpinteria

In-Person Speakers: Amrita Salm and Susan Allen

Speakers via Zoom: Mike Wondolowski and Ted Rhodes

Emails distributed: Russell Ruiz, Beverly Palmer with Strumwasser & Woocher LLP

Even though this item was a non-action item, Mayor Nomura requested a roll call vote to receive and file the 9212 Report analyzing the impacts and effects of the proposed Initiative measure. The roll call vote was as follows:

AYES: Councilmember Alarcon, Councilmember Carty, Councilmember Lee, Vice Mayor Clark, and Mayor Nomura

NOES: None

ABSENT: None

ABSTAIN: None

The 9212 Report was received and filed.

Mayor Nomura recessed to a break at 8:37 pm and reconvened the meeting at 8:42 pm.

The Council gave consensus to hear Agenda Item No. 13 before Agenda Item Nos. 12 and 14.

13. Presentation of the 2021 Carpinteria Valley Economic Profile.

Recommendation: Receive and file the 2021 Carpinteria Valley Economic Profile report and presentation by Mark Schniepp, Ph.D., Director of the California Economic Forecast Project.

Staff Presenter: Dave Durflinger, City Manager and Mark Schniepp, Ph.D., Director of the California Economic Forecast Project

Speakers via Zoom: Mike Wondolowski

Emails distributed: Russell Ruiz

Motion by Councilmember Lee, seconded by Councilmember Carty, to receive and file the presentation. The roll call vote was as follows:

AYES: Councilmember Alarcon, Councilmember Carty, Councilmember Lee, Vice Mayor Clark, and Mayor Nomura

NOES: None

ABSENT: None

ABSTAIN: None

The motion carried unanimously.

12. Acquisition of real property located at 5467 Carpinteria Avenue (APN 001-070-029, 003-280-006 and 003-280-007) totaling 0.61 acres.

Recommendation: Authorize the Mayor to sign the Purchase and Sale Agreement and other necessary documents to complete the acquisition of 5467 Carpinteria Avenue.

Staff Presenter: Matt Roberts, Parks, Recreation and Public Facilities Director

There was no public comment.

Motion by Councilmember Lee, seconded by Councilmember Alarcon, to authorize the Mayor to execute the Purchase and Sale Agreement and other necessary documents to complete the acquisition of 5467 Carpinteria Avenue. The roll call vote was as follows:

AYES: Councilmember Alarcon, Councilmember Carty, Councilmember Lee, Vice

Mayor Clark, and Mayor Nomura
NOES: None
ABSENT: None
ABSTAIN: None

The motion carried unanimously.

14. Joining a national opioid litigation settlement.

Recommendation: Approve joining the national opioid litigation settlement and authorize the City Manager to submit the necessary participation forms.

Staff Presenter: Dave Durflinger, City Manager

There was no public comment.

Motion by Vice Mayor Clark, seconded by Councilmember Alarcon, to join the national opioid litigation settlement and authorize the City Manager to submit the necessary participation forms. The roll call vote was as follows:

AYES: Councilmember Alarcon, Councilmember Carty, Councilmember Lee, Vice Mayor Clark, and Mayor Nomura
NOES: None
ABSENT: None
ABSTAIN: None

The motion carried unanimously.

LEGISLATIVE UPDATE:

City Manager Durflinger presented the usual attachments from the League of California Cities.

COMMITTEE REPORTS, INQUIRIES AND OTHER MATTERS PRESENTED BY COUNCILMEMBERS

Councilmember Carty recognized the Carpinteria Lion's Club for all they do throughout the year for the City and the Festival of Trees along with the Skate Park Foundation raised \$47,000 for the Skate Park Project.

ATTENDANCE OF COUNCILMEMBERS FOR FUTURE MEETINGS

All Councilmembers are expected to be in attendance at the next regular City Council meeting of January 10, 2022.

ADJOURNMENT

Mayor Nomura adjourned the meeting at 9:23 p.m.

Wade T. Nomura, Mayor

ATTEST:

Brian C. Barrett, Acting City Clerk



City of Carpinteria

COUNCIL AGENDA STAFF REPORT January 10, 2022

ITEM FOR COUNCIL CONSIDERATION

Expenditures for the period beginning December 4, 2021 and ending December 31, 2021.

STAFF RECOMMENDATION

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 December 4, 2021 and ending December 31, 2021.

Staff contact: Alexiss Martinez, Accounting Tech.
(805) 755-4422, AlexissM@ci.carpinteria.ca.us



Signature

Staff contact: Licette Maldonado, Admin Services Dir.
(805) 755-4448, LicetteM@ci.carpinteria.ca.us



Signature

Reviewed by: Dave Durflinger, City Manager
(805) 755-4400, DaveD@ci.carpinteria.ca.us



Signature



Warrant Register

Carpinteria, CA

Date Range: 12/04/2021 - 12/31/2021

Vendor Number Payable # Bank Code: AP Bank-AP Bank	Vendor Name Payable Type	Post Date	Payment Date	Payment Type	Payment Amount	Number
<u>0043957</u>	ACCESS CONTROL SECURITY, INC. Invoice	12/09/2021	12/09/2021	Regular	210.00	100424
				SECURITY AT VETS HALL EVENT 11/06/21		
<u>130770</u>	ADVANTAGE TELECOM Invoice	12/09/2021	12/09/2021	Regular	73.34	100425
<u>039616</u>	AFLAC Invoice	12/09/2021	12/09/2021	Regular	648.05	100426
<u>72617</u>	ALFA TECH CONSULTING ENTERPRISES Invoice	12/09/2021	12/09/2021	Regular	10,000.00	100427
<u>21-870</u>	BARTEL ASSOCIATES, LLC Invoice	12/09/2021	12/09/2021	Regular	7,004.00	100428
<u>26794</u>	C3 INTELLIGENCE, INC Invoice	12/09/2021	12/09/2021	Regular	75.65	100429
<u>300015347</u>	CALIFORNIA ASSOCIATION OF CODE ENFORCEMENT OFFICIALS Invoice	12/09/2021	12/09/2021	Regular	285.00	100430
<u>300015464</u>	2022 CODE ENFORCEMENT DUES FOR R.A.	12/09/2021				
<u>300015571</u>	2022 CODE ENFORCEMENT DUES FOR D.H.	12/09/2021				
	2022 CODE ENFORCEMENT DUES FOR H.M.	12/09/2021				
<u>DEC21 001 3011 028030701</u>	COX BUSINESS Invoice	12/09/2021	12/09/2021	Regular	315.53	100431
<u>829147</u>	EARTH SYSTEMS Invoice	12/09/2021	12/09/2021	Regular	5,872.50	100432
<u>829685</u>	SEP21 INSPECTION SERVICES FOR CARP PAVE REHAB PROJ	12/09/2021				
	OCT21 INSPECTION SERVICES FOR CARP PAVE REHAB PROJ	12/09/2021				
<u>DEC21 1949</u>	FIRST NATIONAL BANK OF OMAHA Invoice	12/09/2021	12/09/2021	Regular	1,156.00	100433
<u>DEC21 3696</u>	CREDIT CARD PAYMENT-SG	12/09/2021				
<u>DEC21 5544</u>	CREDIT CARD PAYMENT-LM	12/09/2021				
<u>DEC21 6160</u>	CREDIT CARD PAYMENT-DD	12/09/2021				
	CREDIT CARD PAYMENT-JL	12/09/2021				
<u>DEC21 209-188-2500-061589-5</u>	FRONTIER COMMUNICATIONS Invoice	12/09/2021	12/09/2021	Regular	148.00	100434
	PHONE & INTERNET SERVICES FOR LG TOWER & BOATHOUSE	12/09/2021				
<u>INV0003142</u>	GOLD COAST WATER POLO CLUB Invoice	12/09/2021	12/09/2021	Regular	2,325.00	100435
	WATER POLO MEET ENTRY FEE-10/30/21	12/09/2021				
<u>NOV21 PREMIUMS</u>	GUARDIAN Invoice	11/30/2021	12/09/2021	Regular	21,969.24	100436
<u>OCT21 PREMIUMS</u>	NOV21 PREMIUMS	10/31/2021				
<u>SEP21 PREMIUMS</u>	OCT21 PREMIUMS	09/30/2021				
<u>SIN012828</u>	INVOICE Invoice	12/09/2021	12/09/2021	Regular	6,277.50	100437
	PROCESSING OF NEW ACCOUNTS, RENEWALS, TOT'S, STR'S	12/09/2021				
<u>INV0003143</u>	JOHN CROOKE Invoice	12/09/2021	12/09/2021	Regular	80.65	100438
	REFUND FOR RETURN OF SWIM SUIT AT POOL	12/09/2021				
<u>21-785</u>	LAE ASSOCIATES INC. Invoice	12/09/2021	12/09/2021	Regular	815.00	100439
	UPDATE 5 YEAR CAPITAL IMPROVEMENT PROGRAM	12/09/2021				
<u>9308985557</u>	LAWSON PRODUCTS INC Invoice	12/09/2021	12/09/2021	Regular	266.56	100440
<u>9309023255</u>	GRAFFITI REMOVER	12/09/2021				
	WHITE TRAFFIC MARKER PAINT	12/09/2021				
<u>INV0003144</u>	MAYRA CARRILLO Invoice	12/09/2021	12/09/2021	Regular	540.00	100441
	VETS HALL RENTAL & CLEANING DEP. REFUND 10-16-21	12/09/2021				

<u>79069</u>	MNS ENGINEERS INC	12/09/2021	Regular	2,415.00	100442
	Invoice	12/09/2021	SEP21 PROJ OVERSIGHT SERVICES FOR HWY 101 PHASE 4		
<u>00765153</u>	MOFFATT & NICHOL	12/09/2021	Regular	11,194.25	100443
	Invoice	12/09/2021	OCT21 PROJECT MANAGEMENT FOR DUNE & SHORELINE PROJ		
<u>29389</u>	MOSS, LEVY & HARTZHEIM LLP	12/09/2021	Regular	5,000.00	100444
	Invoice	12/09/2021	AUDIT SERVICES TO DATE		
<u>00006</u>	PACIFIC CIVIL SOLUTIONS	12/09/2021	Regular	7,091.88	100445
<u>00007</u>	Invoice	12/09/2021	OCT21 CONSULTANT SERVICES FOR CARP PED BRIDGE		
	Invoice	12/09/2021	NOV21 CONSULTANT SERVICES FOR CARP PED BRIDGE		
<u>402455</u>	POLICORE INC.	12/09/2021	Regular	3,300.00	100446
	Invoice	12/09/2021	IT SERVICES FOR OCTOBER 2021		
<u>N9147373</u>	QUADIENT LEASING USA INC.	12/09/2021	Regular	626.29	100447
	Invoice	12/09/2021	DEC-MAR21 LEASE PAYMENT FOR C.H. POSTAGE MACHINE		
<u>5113</u>	RISDON'S 76 SERVICE	12/09/2021	Regular	552.65	100448
	Invoice	12/09/2021	TRUCK 321 BRAKES REPLACEMENT, WHEEL ALIGNMENT		
<u>38829314</u>	SHOWSCAPES	12/09/2021	Regular	399.00	100449
	Invoice	12/09/2021	PUBLIC WORKS DOWNTOWN T COLOR CHANGE		
<u>NOV21 700201069122</u>	SO CA EDISON	12/09/2021	Regular	22,206.49	100450
<u>NOV21 700230547624</u>	Invoice	12/09/2021	ELECTRICITY-101 ASH AVE		
<u>NOV21 700247140684</u>	Invoice	12/09/2021	ELECTRICITY-5103 CARPINTERIA AVE		
<u>NOV21 700255596559</u>	Invoice	12/09/2021	ELECTRICITY-1 CARPINTERIA TC1		
<u>NOV21 700264659490</u>	Invoice	12/09/2021	ELECTRICITY-100 LINDEN		
<u>NOV21 700274833982</u>	Invoice	12/09/2021	ELECTRICITY-1115 LINDEN B PED		
<u>NOV21 700291369452</u>	Invoice	12/09/2021	ELECTRICITY-901 CACTUS LN EV EV		
<u>NOV21 700405192484</u>	Invoice	12/09/2021	ELECTRICITY-MULTIPLE LOCATIONS		
<u>NOV21 700465507084</u>	Invoice	12/09/2021	ELECTRICITY-MULTIPLE LOCATIONS		
<u>NOV21 700477662295</u>	Invoice	12/09/2021	ELECTRICITY-4950 9TH ST BT HM		
<u>NOV21 700525378417</u>	Invoice	12/09/2021	ELECTRICITY-901 CACTUS LN LGHT		
	Invoice	12/09/2021	ELECTRICITY-931 WALNUT AVE & 4851 5TH ST		
<u>NOV21 006 514 2700 7</u>	SO CAL GAS	12/09/2021	Regular	4,500.45	100451
<u>NOV21 014 914 3239 7</u>	Invoice	12/09/2021	NATURAL GAS-5305 CARPINTERIA AVE APT B (POOL)		
<u>NOV21 016 913 9500 6</u>	Invoice	12/09/2021	NATURAL GAS-5103 CARPINTERIA AVE(FRIENDS OF LIBR)		
	Invoice	12/09/2021	NATURAL GAS-5775 CARPINTERIA AVE (CITY HALL)		
<u>184</u>	SOLID WASTE SOLUTIONS INC	12/09/2021	Regular	4,934.75	100452
	Invoice	12/09/2021	ANNUAL REPORT PREP & CALRECYCLE GRANT REPORT		
<u>3493380316</u>	STAPLES ADVANTAGE	12/09/2021	Regular	216.92	100453
	Invoice	12/09/2021	CALENDARS FY22		
<u>58724</u>	STEWART'S DE-ROOTING & PLUMBING	12/09/2021	Regular	248.00	100454
	Invoice	12/09/2021	PLUMBING AT EL CARRO BATHROOM		
<u>INV0003074</u>	TIMOTHY ROBINSON	12/09/2021	Regular	232.78	100455
	Invoice	12/09/2021	REFUND DEPOSIT/PROJECT BALANCE		
<u>1030</u>	TKM ENGINEERING	12/09/2021	Regular	2,405.00	100456
	Invoice	12/09/2021	NOV21 RESEARCH & REPORTING FOR TRAFFIC SAFETY COM		
<u>025-346218A</u>	TYLER TECHNOLOGIES, INC.	12/09/2021	Regular	14,571.34	100457
	Invoice	12/09/2021	SOFTWARE MAINTENANCE 10/01/2021-09/30/2022		
<u>80343454</u>	WAXIE SANITARY SUPPLY	12/09/2021	Regular	4,374.13	100458
<u>80452080</u>	Invoice	12/09/2021	PAPER TOWELS, WIPES BUCKETS, REFILL ROLLS, NITRILE		
<u>80452084</u>	Invoice	12/09/2021	PAPER TOWELS, WIPES BUCKETS, REFILL ROLLS, NITRILE		
<u>80466973</u>	Invoice	12/09/2021	DOG BAGS FOR ALL PARKS, WAXIE 2-PLY TOILET PAPER		
	Invoice	12/09/2021	DOG BAGS FOR ALL PARKS		
<u>178865</u>	WEST COAST ARBORISTS, INC.	12/09/2021	Regular	3,900.00	100459
	Invoice	12/09/2021	EMERGENCY TREE REMOVAL AT EL CARRO 10/16-10/31/21		
<u>18115</u>	WESTAIRE HEATING & CONDITIONING, INC.	12/09/2021	Regular	491.32	100460
	Invoice	12/09/2021	EOC CITY HALL H-VAC REPAIRS		

9424454	WESTERN EXTERMINATOR COMPANY	12/09/2021	Regular	65.40	100461
	Invoice	12/09/2021	NOVEMBER 2021 PEST CONTROL AT VETS HALL		
76434058	WEX BANK (76)	12/09/2021	Regular	438.69	100462
	Invoice	12/09/2021	NOV21 FUEL FOR CITY VEHICLES		
558582825	WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTION	12/09/2021	Regular	1,351.50	100463
	Invoice	12/09/2021	DUNE & SHORELINE PROJECT SERVICES THROUGH 10/01/21		
2021-0412	ZWORLD GIS	12/09/2021	Regular	2,500.00	100464
	Invoice	12/09/2021	MAPPING/GIS SERVICES		
CEF052119-22	CALIFORNIA ECONOMIC FORECAST	12/10/2021	Regular	10,800.00	100465
	Invoice	12/10/2021	2021 CARPINTERIA VALLEY ECONOMIC PROFILES SERVICES		
112021	CARP EVENTS	12/10/2021	Regular	7,750.00	100466
	Invoice	12/10/2021	2021 HOLIDAY SPIRIT PARADE SERVICES		
3003	EVERYWHERE RIGHT NOW	12/10/2021	Regular	1,291.00	100467
	Invoice	12/10/2021	NOV21 WEBSITE DEVELOPMENT FOR CITY WEBSITE		
DEC21 0503	FIRST NATIONAL BANK OF OMAHA	12/10/2021	Regular	8,489.86	100468
DEC21 9003	Invoice	12/10/2021	CREDIT CARD PAYMENT-MR		
	Invoice	12/10/2021	CREDIT CARD PAYMENT-LH		
1287	REDISTRICTING PARTNERS	12/10/2021	Regular	5,000.00	100469
	Invoice	12/10/2021	DISTRICT-R PURCHASE		
COC12072021	SANTA BARBARA COUNTY, BEHAVIORAL WELLNESS	12/10/2021	Regular	2,506.00	100470
	Invoice	12/10/2021	FY21-22 MENTAL HEALTH ASSESSMENT TEAM SERVICES		
INV0003146	SANTA BARBARA SWIM CLUB	12/10/2021	Regular	483.50	100471
	Invoice	12/10/2021	SWIM MEET 10/9-10/10/21 ENTRY FEES		
1194	TWO TRUMPETS COMMUNICATIONS	12/10/2021	Regular	5,550.00	100472
	Invoice	12/10/2021	OCT21 COMMUNICATIONS SERVICES		
INV0003147	VANTAGEPOINT TRANSFER AGENTS - 457	12/10/2021	Regular	9,763.16	100473
	Invoice	12/10/2021	FY22 CITY MANAGER AGREEMENT ICMA CONTRIBUTIONS		
121110402	VIDIFLO, LLC	12/10/2021	Regular	600.00	100474
	Invoice	12/10/2021	NOVEMBER 2021 GATV SYSTEM MAINTENANCE		
28150	ALL LANGUAGES INTERPRETING & TRANSLATING INC.	12/16/2021	Regular	2,100.00	100475
	Invoice	12/16/2021	2 SPANISH INTERPRETERS FOR NOV COUNCIL MEETINGS		
1500-00769381	ASBURY ENVIRONMENTAL SVCS	12/16/2021	Regular	95.00	100476
	Invoice	12/16/2021	DISPOSAL OF USED OIL/MIXED OILS-10/26/21		
2224	CALIFORNIA MUNICIPAL REVENUE & TAX ASSOCIATION	12/16/2021	Regular	150.00	100477
	Invoice	12/16/2021	MEMBERSHIP RENEWAL FOR LM, RB & AM		
463565	CARPINTERIA VALLEY LUMBER CO	12/16/2021	Regular	497.34	100478
463887	Invoice	12/16/2021	POOL BLEED VALVES ON FILTER TANKS		
464203	Invoice	12/16/2021	TOOL HANDZ GLOVES, PLASTIC PLUG		
464456	Invoice	12/16/2021	P/T-FLAT BACK, ACETONE, BRUSH, SET POLY, FOAM		
464472	Invoice	12/16/2021	PRESSURE TREATED WOOD FOR VIOLA NEW SIGN		
464633	Invoice	12/16/2021	CROSSBAR, LOCKNUT BRASS, 8CD NIPPLE		
464658	Invoice	12/16/2021	LIQUID NAILS FOR POOL		
464664	Invoice	12/16/2021	FAST SETTING CONCRETE, MIXR PAINT		
464776	Invoice	12/16/2021	PLASTIC PLUG W/SCR, PHILLIPS 2" FOR LIBRARY SIGN		
464820	Invoice	12/16/2021	PRESSURE TREATED WOOD FOR STREET SIGNS		
464883	Invoice	12/16/2021	EPOXY WITH NOZZLE		
464938	Invoice	12/16/2021	MISC HARDWARE FOR POOL		
465044	Invoice	12/16/2021	PAINTING MATERIALS FOR GRAFFITI COVER UP		
465145	Invoice	12/16/2021	EXPOXY		
465565	Invoice	12/16/2021	MARKING CHALK FOR ROW		
465622	Invoice	12/16/2021	POWERARC SHEARS 10"		
465625	Invoice	12/16/2021	BLACK TAPE FOR DOWNTOWN TREE LIGHTS		
465658	Invoice	12/16/2021	HOSE, BATTERY LITH, GRAY TARP COVER		
465688	Invoice	12/16/2021	NO-KINK HOSE		
465832	Invoice	12/16/2021	2.8 DAP SILICONE CLEAR SEAL TO REPLACE GLASS		
	Invoice	12/16/2021	MISC HARDWARE FOR XMAS TREE		

	Void	12/16/2021	Regular	-	100479
	CARPINTERIA VALLEY WATER DISTRICT	12/16/2021	Regular	13,950.93	100480
<u>CARP CITY NOV21 SERVICE</u>	Invoice 12/16/2021	WATER SERVICE AT MULTIPLE LOCATIONS			
	CITY OF SANTA BARBARA, CD-RHMP	12/16/2021	Regular	6,000.00	100481
<u>INV0003086</u>	Invoice 12/16/2021	ANNUAL CERT OF COMPLIANCE, REFIN./PURCH. TRANSAC'S			
	COASTAL VIEW NEWS	12/16/2021	Regular	1,182.00	100482
<u>57739</u>	Invoice 12/16/2021	NOTICE OF PUBLIC HEARING ADVERTISING-11/11 & 11/18			
<u>57778</u>	Invoice 12/16/2021	NOTICE OF PUBLIC HEARING ADVERTISING 11/25/2021			
<u>57797</u>	Invoice 12/16/2021	ORDINANCE NO. 749 ADVERTISING DEC 2 2021			
	COX BUSINESS	12/16/2021	Regular	418.40	100483
<u>DEC21 001 3011 022093901</u>	Invoice 12/16/2021	DEC21-CITY HALL TV & INTERNET SERVICES			
	DALE REDFIELD	12/16/2021	Regular	115.00	100484
<u>INV0003150</u>	Invoice 12/16/2021	LIBRARY CONSULTANT SERVICES 11/15/21 - 11/24/21			
	DEWBERRY ENGINEERS INC.	12/16/2021	Regular	1,451.12	100485
<u>2051831</u>	Invoice 12/16/2021	NOV21 PROJECT SERVICES FOR CARP AVE BRIDGE PROJECT			
	ENCOMPASS CONSULTANT GROUP, INC	12/16/2021	Regular	542.50	100486
<u>03345</u>	Invoice 12/16/2021	NOV21 ENGINEERING SERV. FOR 2021 CARP PAVE REHAB			
	FOREVER REDWOOD	12/16/2021	Regular	2,471.33	100487
<u>124023</u>	Invoice 12/16/2021	MEMORIAL BENCH LUNA WOOD			
	FRONTIER COMMUNICATIONS	12/16/2021	Regular	144.65	100488
<u>DEC21 805-684-7613-042205-5</u>	Invoice 12/16/2021	PHONE & INTERNET SERVICES FOR LG TOWER & BOATHOUSE			
	GHD INC.	12/16/2021	Regular	2,247.00	100489
<u>380-0005413</u>	Invoice 12/16/2021	NOV21 LOCAL ROAD SAFETY PLAN			
	GRACENOTE	12/16/2021	Regular	71.31	100490
<u>9747076131</u>	Invoice 12/16/2021	DEC21 LISTING DISTRIBUTION SERVICES			
	HINDERLITER DE LLAMAS	12/16/2021	Regular	1,274.68	100491
<u>SIN013382</u>	Invoice 12/16/2021	CONTRACT & AUDIT SERVICES - SALES TAX Q2 2021			
<u>SIN013383</u>	Invoice 12/16/2021	CONTRACT SERVICES-TRANSACTIONS TAX Q2 2021			
	IMPULSE ADVANCE COMMUNICATIONS	12/16/2021	Regular	1,600.74	100492
<u>78507</u>	Invoice 12/16/2021	DECEMBER 2021 PHONE SERVICES STATEMENT			
	LIN CONSULTING INC.	12/16/2021	Regular	14,401.80	100493
<u>14503</u>	Invoice 12/16/2021	NOV21 DESIGN SERVICES FOR CARP X PALM AVE INTERSEC			
	MCCORMIX CORP	12/16/2021	Regular	95.16	100494
<u>987577</u>	Invoice 12/16/2021	FUEL FOR CITY VEHICLES			
	MEARS DESIGN GROUP	12/16/2021	Regular	1,200.00	100495
<u>2154</u>	Invoice 12/16/2021	NOV21 CONSTRUCTION DOCUMENT FOR SKATEPARK			
	MISSION UNIFORM SERVICE	12/16/2021	Regular	184.42	100496
<u>515998127</u>	Invoice 12/16/2021	MAT & TOWEL REPLACEMENT, MAINTENANCE UNIFORM CLEAN			
<u>516052718</u>	Invoice 12/16/2021	MAT REPLACEMENT, MAINTENANCE UNIFORM CLEANING			
	MRS ENVIRONMENTAL, INC	12/16/2021	Regular	10,970.00	100497
<u>600-2021-06</u>	Invoice 12/16/2021	OIL & GAS ON CALL ENVIRONMENTAL SERV. NOV21			
	MUNICIPAL CODE CORPORATION	12/16/2021	Regular	650.00	100498
<u>00367691</u>	Invoice 12/16/2021	ONLINE MUNICODE HOSTING 12/1/2021 TO 11/30/2022			
	NACA-NATIONAL ANIMAL CARE & CONTROL ASSOCIATION	12/16/2021	Regular	150.00	100499
<u>6961</u>	Invoice 12/16/2021	2022 MEMBERSHIP AGENCY RENEWAL			
	OPTONY INC.	12/16/2021	Regular	5,968.00	100500
<u>214832</u>	Invoice 12/16/2021	NOV21 PROJECT SERV. FOR CITY HALL SOLAR ENERGY			
	ROCKWELL PRINTING	12/16/2021	Regular	160.03	100501
<u>38944</u>	Invoice 12/16/2021	NO PARKING ROW SIGNS			
	RRM DESIGN GROUP	12/16/2021	Regular	2,612.50	100502
<u>2277-01-1121</u>	Invoice 12/16/2021	NOV21 DOWNTOWN DESIGN OVERLAY PROGRAM SERVICES			

	SHOWSCAPES	12/16/2021	Regular	19,450.00	100503
<u>38829113</u>	Invoice	12/16/2021	TRUNK INJECTION TREATMENT ON 8TH STREET 11/12/21		
<u>38829255</u>	Invoice	12/16/2021	MONTHLY LANDSCAPE SERVICES THROUGHOUT CITY		
	SITEONE LANDSCAPE SUPPLY (ALL AROUND)	12/16/2021	Regular	2,862.42	100504
<u>114469917-001</u>	Invoice	12/16/2021	ROUNDUP PROMAX NON SELECTIVE LIQUID HERBICIDE 1.67		
<u>114508721-001</u>	Invoice	12/16/2021	VALVE FOR DOWNTOWN T IRRIGATION BOX		
<u>114827278-001</u>	Invoice	12/16/2021	FERTILIZER		
	SO CA EDISON	12/16/2021	Regular	41.33	100505
<u>NOV21 700604790697</u>	Invoice	12/16/2021	ELECTRICITY-CAPP AV/CSTS PAS 609		
	SO CAL GAS	12/16/2021	Regular	209.36	100506
<u>DEC21 140 914 3084 4</u>	Invoice	12/16/2021	NATURAL GAS-941 WALNUT AVE (VETS HALL)		
	STAPLES ADVANTAGE	12/16/2021	Regular	68.65	100507
<u>3493380315</u>	Invoice	12/16/2021	LETTER TRAYS & PAPER		
	THE STORAGE PLACE	12/16/2021	Regular	390.00	100508
<u>59186</u>	Invoice	12/16/2021	UNIT 0905 RENT 12/23/21 - 1/22/21		
	TRI-CO REPROGRAPHICS	12/16/2021	Regular	139.06	100509
<u>150500</u>	Invoice	12/16/2021	COLOR SCANNING, DE/REBIND, PDF EXTRACT, FILE RENAM		
<u>150534</u>	Invoice	12/16/2021	COLOR SCANNING , SMALL FORMAT, PDF EXT, FILE RENAM		
	TVSB	12/16/2021	Regular	30,000.00	100510
<u>149248404K794534M</u>	Invoice	12/16/2021	2022 ANNUAL TV SANTA BARBARA PUBLIC ACCESS FUNDING		
	UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA	12/16/2021	Regular	264.78	100511
<u>1020210151</u>	Invoice	12/16/2021	NOV21 NEW TICKET CHARGES & DATABASE MAINTENANCE		
<u>DSB20205290</u>	Invoice	12/16/2021	NOV21 CA STATE FEE FOR REGULATORY COSTS		
	VILLAGE POOL SUPPLY	12/16/2021	Regular	713.79	100512
<u>41641</u>	Invoice	12/16/2021	GALLON OF ACID		
<u>41781</u>	Invoice	12/16/2021	GALLON OF ACID, TEST STRIP		
<u>41825</u>	Invoice	12/16/2021	GALLON OF ACID		
	VITAL RECORDS CONTROL	12/16/2021	Regular	44.81	100513
<u>2378178</u>	Invoice	12/16/2021	NOV21 CONTRACTED SHREDDING SERVICES		
	WALKER CONSULTANTS	12/16/2021	Regular	2,140.00	100514
<u>37893801011</u>	Invoice	12/16/2021	NOV21 PROFESSIONAL SERVICES FOR CARP DWNTN PARKING		
	WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTION	12/16/2021	Regular	8,940.30	100515
<u>S58582956</u>	Invoice	12/16/2021	DUNE & SHORELINE PROJECT SERVICES THROUGH 11/26/21		
	ADELE GOGGIA	12/16/2021	Regular	1,200.00	100516
<u>INV0003165</u>	Invoice	12/16/2021	Pay Period #25		
	SEIU LOCAL 620	12/16/2021	Regular	245.39	100517
<u>INV0003176</u>	Invoice	12/16/2021	Employee Union Dues Contribution		
	UNITED WAY OF SANTA BARBARA COUNTY	12/16/2021	Regular	24.00	100518
<u>INV0003177</u>	Invoice	12/16/2021	Employee United Way Contribution		
	VANTAGEPOINT TRANSFER AGENTS - 457	12/16/2021	Regular	4,830.32	100519
<u>INV0003166</u>	Invoice	12/16/2021	ICMA Employee Contributions		
<u>INV0003167</u>	Invoice	12/16/2021	ICMA Employee Contributions		
<u>INV0003168</u>	Invoice	12/16/2021	ICMA Employee Contributions		
<u>INV0003169</u>	Invoice	12/16/2021	Deferred Compensation Contribution		
	ABSOLUTE ROOFING	12/16/2021	Regular	14.84	100520
<u>INV0003182</u>	Invoice	12/16/2021	REFUND FOR G.P SURCHARGE FEE ERROR		
	BLANCA MORA	12/16/2021	Regular	397.50	100521
<u>INV0003149</u>	Invoice	12/16/2021	SECURITY REFUND, RESERVATION/DEPOSIT REFUND VETS		
	DATA TICKET INC	12/16/2021	Regular	200.00	100522
<u>130675</u>	Invoice	12/16/2021	OCTOBER 2021-ONLINE ACCESS TO CITATION PROCESSING		
	GREGORIA REYES	12/16/2021	Regular	345.00	100523
<u>INV0003183</u>	Invoice	12/16/2021	VETS HALL DEPOSIT REFUND 10/09/2021		
	ROD BALTAZAR	12/16/2021	Regular	110.29	100524

<u>PETTY CASH-12/16/2021</u>	Invoice	12/16/2021	PETTY CASH DRAWER REPLETISHMENT 12/16/21			
<u>0044239</u>	ACCESS CONTROL SECURITY, INC. Invoice	12/22/2021	12/22/2021 Regular SECURITY AT VETS HALL EVENT 11/13-27/21 12-04/21	982.50	100525	
<u>401430</u>	AQUASOURCE Invoice	12/22/2021	12/22/2021 Regular BLUE TABLETS FOR POOL	5,362.80	100526	
<u>287303896883X12102021</u>	AT&T MOBILITY Invoice	12/22/2021	12/22/2021 Regular CITY HALL MONTHLY PHONE BILL-NOVEMBER 2021	353.47	100527	
<u>IN2203913</u>	BASIC Invoice	12/22/2021	12/22/2021 Regular NOV21 MONTHLY FSA ADMIN FEE	95.00	100528	
<u>544852211215M</u>	BAY ALARM Invoice	12/22/2021	12/22/2021 Regular POOL ALARM SERVICES 01/01/2022-04/01/2022	186.75	100529	
<u>591236</u>	BIG GREEN CLEANING COMPANY Invoice	12/22/2021	12/22/2021 Regular DEC21 CONTRACTED JANITORIAL SERVICE-5103 CARP AVE	3,183.00	100530	
<u>591237</u>	Invoice	12/22/2021	DEC21 CONTRACTED CLEANING SERVICE-CITY & VETS HALL			
<u>592506</u>	Invoice	12/22/2021	EMERGENCY CLEAN UP AT EL CARRO RESTROOMS 11/30/21			
<u>592525</u>	Invoice	12/22/2021	JANITORIAL SERVICES AT POOL-11/15/21			
<u>9276</u>	BOB MURRAY & ASSOCIATES Invoice	12/22/2021	12/22/2021 Regular NOV21 RECRUITMENT SERVICES FOR ACM	238.62	100531	
<u>872264</u>	BROWNSTEIN HYATT FARBER SCHRECK Invoice	12/22/2021	12/22/2021 Regular PROFESSIONAL LEGAL SERVICES THROUGH 11/30/2021	68,863.00	100532	
<u>872265</u>	Invoice	12/22/2021	PROFESSIONAL LEGAL SERVICES THROUGH 11/30/2021			
<u>27803900</u>	CANON FINANCIAL SERVICES, INC Invoice	12/22/2021	12/22/2021 Regular CANON 5760 & CANON 6275 PRINTERS AT C.H. LEASE	1,249.52	100533	
<u>DEC21 001 3011 028450702</u>	COX BUSINESS Invoice	12/22/2021	12/22/2021 Regular DEC21-VETS HALL INTERNET SERVICES	135.94	100534	
<u>12/16/2021</u>	DALE REDFIELD Invoice	12/22/2021	12/22/2021 Regular LIBRARY CONSULTANT SERVICES 12/6/21-12/15/21	269.50	100535	
<u>INV0003186</u>	DAVID GRAHAM SWIM MEET Invoice	12/22/2021	12/22/2021 Regular SWIM MEET 11/6-11/7/21 DUES	382.50	100536	
<u>12/22/2021</u>	ELVIRA CARDENAS Invoice	12/22/2021	12/22/2021 Regular REFUND OF VETS HALL CLEANING DEPOSIT-12/18/21	675.00	100537	
<u>12/22/2021</u>	ISELA VERDUZCO Invoice	12/22/2021	12/22/2021 Regular REFUND OF VETS HALL CLEANING DEPOSIT-11/20/21	322.50	100538	
<u>206927</u>	LIEBERT CASSIDY WHITMORE Invoice	12/22/2021	12/22/2021 Regular PROFESSIONAL LEGAL SERVICES THROUGH 10/31/21	3,358.50	100539	
<u>207436</u>	Invoice	12/22/2021	PROFESSIONAL LEGAL SERVICES THROUGH 10/31/21			
<u>332406743</u>	LOWE'S Invoice	12/22/2021	12/22/2021 Regular WOOD, TRIM & TAPE FOR CITY HALL KIOSK	2,439.38	100540	
<u>332406744</u>	Invoice	12/22/2021	PAINING MATERIAL FOR PARK RSTRMS, WOOD FOR KIOSK			
<u>332885388</u>	Invoice	12/22/2021	PAINING MATERIAL FOR PARK RESTROOM REPAINT			
<u>333459996</u>	Invoice	12/22/2021	PAINT FOR PARK RESTROOMS, TOOLS FOR PARKS TEAM			
<u>334225248</u>	Invoice	12/22/2021	PAINT FOR PARK RESTROOMS, TOOLS FOR PARKS TEAM			
<u>335285237</u>	Invoice	12/22/2021	PEBBLES & PAINT FOR POOL LIGHT FIXTURES			
<u>336645601</u>	Invoice	12/22/2021	PAINT FOR PARK RESTROOMS			
<u>12/22/2021</u>	MAX SANTILLAN Invoice	12/22/2021	12/22/2021 Regular REFUND OF VETS HALL CLEANING DEPOSIT-12/04/21	300.00	100541	
<u>2134</u>	MEARS DESIGN GROUP Invoice	12/22/2021	12/22/2021 Regular OCT21 CONSTRUCTION DOCUMENT FOR SKATEPARK	1,625.00	100542	
<u>515998128</u>	MISSION UNIFORM SERVICE Invoice	12/22/2021	12/22/2021 Regular MAT & TOWEL REPLACEMENT AT CITY HALL-11/29/21	86.22	100543	
<u>516052719</u>	Invoice	12/22/2021	MAT & TOWEL REPLACEMENT AT CITY HALL-12/06/21			
<u>73313686</u>	OCCUPATIONAL HEALTH CENTERS OF CALIFORNIA, A MEDI Invoice	12/22/2021	12/22/2021 Regular PREPLACEMENT HEALTH FOR M.R.	84.00	100544	

<u>03093273</u>	PROJECT SUPPORT SERVICES INC.	12/22/2021	Regular	1,437.50	100545
<u>03093306</u>	Invoice 12/22/2021	OCT21 PROJECT SERVICES FOR POOL MULTIPURPOSE ROOMS			
	Invoice 12/22/2021	NOV21 PROJECT SERVICES FOR POOL MULTIPURPOSE ROOMS			
<u>1696</u>	RISDON'S 76 SERVICE	12/22/2021	Regular	642.65	100546
<u>2394</u>	Invoice 12/22/2021	CAR WASH FOR CODE COMPLIANCE UNIT #250 11/14/21			
<u>5167</u>	Invoice 12/22/2021	CAR WASH FOR CODE COMPLIANCE UNIT #255 11/14/21			
<u>5187</u>	Invoice 12/22/2021	CAR WASH FOR UNIT #121 FORD FUSION 11/22/2021			
<u>A72707</u>	Invoice 12/22/2021	CAR WASH FOR UNIT #120 FORD C-MAX 11/22/2021			
	Invoice 12/22/2021	TRUCK 321 BRAKES REPLACEMENT, WHEEL ALIGNMENT			
<u>38848</u>	ROCKWELL PRINTING	12/22/2021	Regular	45.78	100547
	Invoice 12/22/2021	BUSINESS CARDS FOR L.S.			
<u>1338</u>	SANTA BARBARA COUNTY, SHERIFF'S DEPT	12/22/2021	Regular	405,432.71	100548
<u>1339</u>	Invoice 12/22/2021	FY22 SUMMER OVERTIME 6/18/21-10/03/21			
<u>1359</u>	Invoice 12/22/2021	LAW ENFORCEMENT SER. FOR NATIONAL NIGHT OUT 8/3/21			
	Invoice 12/22/2021	NOV21 CONTRACTED LAW ENFORCEMENT SERVICES			
<u>139479</u>	SANTA BARBARA PEST CONTROL	12/22/2021	Regular	210.00	100549
<u>139480</u>	Invoice 12/22/2021	NOV21 PEST CONTROL AT CITY HALL			
<u>141329</u>	Invoice 12/22/2021	NOV21 PEST CONTROL AT VETS HALL			
	Invoice 12/22/2021	DEC21 PEST CONTROL AT POOL			
<u>INV0003187</u>	SHAWN WARNICK	12/22/2021	Regular	415.00	100550
	Invoice 12/22/2021	REFUND OF TOW/IMPOUND FEES			
<u>38828350</u>	SHOWSCAPES	12/22/2021	Regular	7,799.50	100551
<u>38828353</u>	Invoice 12/22/2021	IRRIGATION REPAIRS AT MILLS CORNER-08/26/21			
<u>38828434</u>	Invoice 12/22/2021	IRRIGATION REPAIRS FOR FRANKLIN PARK-08/24/21			
<u>38828435</u>	Invoice 12/22/2021	IRRIGATION REPAIRS FOR FRANKLIN PARK-09/10/21			
<u>38828436</u>	Invoice 12/22/2021	IRRIGATION REPAIRS FOR VIOLA PARK- 09/10/21			
<u>38828437</u>	Invoice 12/22/2021	IRRIGATION REPAIRS FOR VIOLA PARK- 09/10/21			
<u>38828610</u>	Invoice 12/22/2021	IRRIGATION REPAIRS FOR VIOLA PARK- 09/09/21			
<u>38828616</u>	Invoice 12/22/2021	IRRIGATION REPAIRS FOR COMMUNITY POOL-09/21/21			
<u>38829140</u>	Invoice 12/22/2021	IRRIGATION REPAIRS FOR VIOLA PARK-09/21/21			
<u>38829142</u>	Invoice 12/22/2021	IRRIGATION REPAIRS FOR MONTE VISTA PARK-10/29/21			
<u>38829236</u>	Invoice 12/22/2021	IRRIGATION REPAIRS FOR EL CARRO PARK-11/16/21			
<u>38829418</u>	Invoice 12/22/2021	IRRIGATION REPAIRS FOR MONTE VISTA PARK-11/18/21			
<u>38829430</u>	Invoice 12/22/2021	IRRIGATION REPAIRS AT VETS HALL-11/23/21			
	Invoice 12/22/2021	IRRIGATION REPAIRS AT FRANKLIN PARK-12/09/21			
<u>DEC21 700474689651</u>	SO CA EDISON	12/22/2021	Regular	15.44	100552
	Invoice 12/22/2021	ELECTRICITY-4683 9TH ST			
<u>INV0003071</u>	SOUTHERN CALIFORNIA SWIMMING	12/22/2021	Regular	150.00	100553
	Invoice 11/18/2021	SWIM CLUB RENEWAL FY22			
<u>3494958440</u>	STAPLES ADVANTAGE	12/22/2021	Regular	133.56	100554
<u>3494958442</u>	Credit Memo 12/22/2021	CREDIT FOR RETURN OF PLANNER			
<u>3494958444</u>	Invoice 12/22/2021	2022 PLANNERS & CALENDARS FOR CITY STAFF			
	Invoice 12/22/2021	2022 CALENDARS, PAPER			
<u>2504406216</u>	TRANSAMERICA EMPLOYEE BENEFITS	12/22/2021	Regular	703.37	100555
	Invoice 12/22/2021	NOVEMBER 2021 EMPLOYEE PREMIUMS			
<u>80532354</u>	WAXIE SANITARY SUPPLY	12/22/2021	Regular	229.66	100556
	Invoice 12/22/2021	SOAP FOR CITY HALL			
<u>12/22/2021</u>	YADIRA OROZIO	12/22/2021	Regular	300.00	100557
	Invoice 12/22/2021	REFUND OF VETS HALL CLEANING DEPOSIT-11/27/21			
<u>INV0003206</u>	SEIU LOCAL 620	12/30/2021	Regular	237.47	100558
	Invoice 12/30/2021	Employee Union Dues Contribution			
<u>INV0003207</u>	UNITED WAY OF SANTA BARBARA COUNTY	12/30/2021	Regular	24.00	100559
	Invoice 12/30/2021	Employee United Way Contribution			
<u>INV0003200</u>	VANTAGEPOINT TRANSFER AGENTS - 457	12/30/2021	Regular	4,857.63	100560
<u>INV0003201</u>	Invoice 12/30/2021	ICMA Employee Contributions			
<u>INV0003202</u>	Invoice 12/30/2021	ICMA Employee Contributions			
	Invoice 12/30/2021	ICMA Employee Contributions			

<u>INV0003203</u>	Invoice	12/30/2021	Deferred Compensation Contribution			
	AFLAC		12/29/2021	Regular	591.09	100561
<u>427744</u>	Invoice	12/30/2021	DECEMBER 2021 EMPLOYEE PREMIUMS			
	BIG GREEN CLEANING COMPANY		12/29/2021	Regular	4,779.00	100562
<u>591243</u>	Invoice	12/30/2021	DEC21 CONTRACTED CLEANING SERVICE-PUBLIC RESTROOMS			
	CANNON		12/29/2021	Regular	780.50	100563
<u>78586</u>	Invoice	12/30/2021	NOV21 INSPECTION SERVICES FOR 1075 CRAMER RD			
<u>78798</u>	Invoice	12/30/2021	NOV21 CARPINTERIA FEMA CRS APPLICATION			
<u>78805</u>	Invoice	12/30/2021	NOV21 PLAN CHECKS FOR 650 CONCHA LOMA DR			
	COASTAL VIEW NEWS		12/29/2021	Regular	1,038.00	100564
<u>57822</u>	Invoice	12/30/2021	DISTRICT ELECTIONS PUBLIC HEARING AD 12/2 12/9			
<u>57840</u>	Invoice	12/30/2021	CITY COUNCIL TO REVIEW REPORT NOTICE 12/09			
	EASY LIFT TRANSPORTATION		12/29/2021	Regular	1,000.00	100565
<u>7172</u>	Invoice	12/30/2021	DEC21 COMMUNITY TRANSPORTATION SERVICES			
	HDL SOFTWARE, LLC		12/29/2021	Regular	900.00	100566
<u>SIN013718</u>	Invoice	12/30/2021	PROCESSING OF NEW ACCOUNTS, RENEWALS, TOT'S, STR'S			
	HOME DEPOT CREDIT SERVICES		12/29/2021	Regular	550.73	100567
<u>111266</u>	Invoice	12/30/2021	LED DOME LIGHTS COOL WHITE			
<u>1522156</u>	Invoice	12/30/2021	SCREWDRIVER, WOOD HANDLES, BUCKETS, POLY ROLLS			
	LAE ASSOCIATES INC.		12/29/2021	Regular	1,456.25	100568
<u>21-880</u>	Invoice	12/30/2021	UPDATE 5 YEAR CAPITAL IMPROVEMENT PROGRAM			
	LAWSON PRODUCTS INC		12/29/2021	Regular	1,061.28	100569
<u>9309004497</u>	Invoice	12/30/2021	HOSE CLAMP, WIPER BLADES, NYLON CABLE TIES, ETC			
	MNS ENGINEERS INC		12/29/2021	Regular	460.00	100570
<u>79240</u>	Invoice	12/30/2021	OCT21 PLAN/MAP CHECKING FOR 4716 7TH STREET			
	OCCUPATIONAL HEALTH CENTERS OF CALIFORNIA, A MEDICAL		12/29/2021	Regular	84.00	100571
<u>73687141</u>	Invoice	12/30/2021	PREPLACEMENT HEALTH FOR R.B.			
	PLANNING & DEVELOPMENT-COUNTY OF SANTA BARBARA		12/29/2021	Regular	2,150.50	100572
<u>INV0003209</u>	Invoice	12/30/2021	NOV21 COUNTY PLANNING CHECKS FOR RINCON MULTIUSE			
<u>INV0003210</u>	Invoice	12/30/2021	OCT21 COUNTY PLANNING CHECKS FOR RINCON MULTIUSE			
	QUADIENT FINANCE USA INC		12/29/2021	Regular	500.00	100573
<u>DEC21 7900 0110 3770 5400</u>	Invoice	12/30/2021	POSTAGE FOR CITY HALL 12/01/21			
	ROCKWELL PRINTING		12/29/2021	Regular	105.42	100574
<u>38946</u>	Invoice	12/30/2021	NAMEPLATE/BUSINESS CARDS FOR ACM/LACTATION RM SIGN			
	SANSUM CLINIC		12/29/2021	Regular	491.00	100575
<u>55107</u>	Invoice	12/30/2021	PRE-HEALTH SCREENING FOR Z.I. AND J.T.			
	SHOWSCAPES		12/29/2021	Regular	2,197.00	100576
<u>38829141</u>	Invoice	12/30/2021	IRRIGATION REPAIRS AT DOWNTOWN T 11/4/21			
<u>38829143</u>	Invoice	12/30/2021	IRRIGATION REPAIRS AT DOWNTOWN T 11/16/21			
<u>38829401</u>	Invoice	12/30/2021	IRRIGATION REPAIRS AT DOWNTOWN T 11/30/21			
<u>38829417</u>	Invoice	12/30/2021	IRRIGATION REPAIRS AT DOWNTOWN T 11/26/21			
	SO CA EDISON		12/29/2021	Regular	52.28	100577
<u>NOV21 700163777874</u>	Invoice	12/30/2021	ELECTRICITY-6145 CARPINTERIA AVE			
<u>NOV21 700333892838</u>	Invoice	12/30/2021	ELECTRICITY-5781 CARPINTERIA AVE			
	SWRCB		12/29/2021	Regular	10,602.00	100578
<u>SW-0216986</u>	Invoice	12/30/2021	STATE WATER RESOURCES BOARD ANNUAL PERMIT FEE			
	TYLER TECHNOLOGIES, INC.		12/29/2021	Regular	130.00	100579



City of Carpinteria

COUNCIL AGENDA STAFF REPORT January 10, 2022

ITEM FOR COUNCIL CONSIDERATION

Monthly City Treasurer's Report on Compliance with Statement of Safekeeping and Investment of Public Funds.

STAFF RECOMMENDATION

Receive and file the report

Sample Motion: None required

BACKGROUND / DISCUSSION

The City Council is the City of Carpinteria trustees and authorized to make investment decisions concerning public funds that are subject to the prudent investment standard. The Prudent Investor Standard of the California Government Code Section 53600.3 states, "when investing, reinvesting, purchasing, acquiring, exchanging, selling or managing public funds, a trustee shall act with care, skill, prudence and diligence under circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated need of the City, that a prudent person in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the City." The standard or prudence to be used by investment officials shall be applied in the context of managing the overall portfolio.

Trustees are those persons authorized to make investment decisions on behalf of a local agency. Trustees or City Investment officials, acting in accordance with investment policy and exercising due diligence, shall be relieved of personal responsibility for an individual security's credit risk changes or market price changes, provided deviations from expectations are reported in a timely manner and appropriate action is taken to control adverse developments.

The purpose of this agenda matter is to provide the City Council with the required monthly Treasurer's Report.

POLICY CONSISTENCY

The City is in compliance with the adopted Statement of Safekeeping and Investment of Public Funds.

FINANCIAL CONSIDERATIONS

Cash Statement: At November 30, 2021, the City held cash and cash investments as shown in the table below.

Table I

<u>CASH ACTIVITY FOR THE MONTH:</u>	
Cash and Investment Beginning of the Month	\$ 15,527,989.73
Cash Receipts	4,920,166.76
Cash Disbursements	(4,071,546.60)
Cash and Investment End of the Month	\$ 16,376,609.89

Investments:

Changes in the market value of treasury securities are inversely proportional to changes in interest rates demanded in the open market, i.e., when rates rise market values fall, when rates fall market values rise. The sensitivity of a portfolio's market value to these changes in market rates is a function of its days to maturity and its coupon rate. Securities with longer maturities and/or lower coupon rates are more sensitive to changes in market interest rates. As a security matures, changes in its value become less sensitive to market rate changes.

At November 30th the portfolio's average days to maturity was 1.16 years, the average coupon rate was 2.26%, the average yield to maturity was 0.32%, the par value was \$4,116,000 and Market Value was \$4,215,181.92.

The City does not intend to sell nor does it have any foreseeable need to sell any securities. The intention of the City's investment policy is to hold all securities to maturity; and securities so held are redeemed at par value resulting in no net market gain or loss.

Attached for City Council review is the Treasurer's Report that details a listing of all the investments and cash activity during the month.

The City of Carpinteria will be able to meet all expenditure obligations that might reasonably be anticipated for the next six-month period June 1, 2022.

LEGAL

This report has been prepared in compliance with California Government Code Sections 53600 and 53646.

PRINCIPAL PARTIES EXPECTED AT MEETING

Unknown

ATTACHMENTS

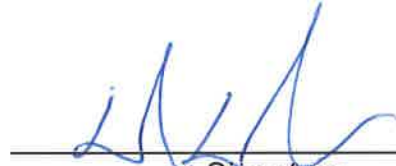
City of Carpinteria Treasurer's Report

Staff contact: Licette Maldonado,
Administrative Services Director
(805) 755-4448, licettem@ci.carpinteria.ca.us



Signature

Reviewed by: Dave Durlinger, City Manager
(805) 755-4400, daved@ci.carpinteria.ca.us



Signature

City Treasurer's Report

CITY OF CARPINTERIA TREASURER'S REPORT
For the Month Ended November 2021

CASH ACTIVITY FOR THE MONTH:

Cash and Investment Beginning of the Month	\$ 15,527,989.73
Cash Receipts	4,920,166.76
Cash Disbursements	<u>(4,071,546.60)</u>
Cash and Investment End of the Month	<u><u>\$ 16,376,609.89</u></u>

CASH AND INVESTMENT PORTFOLIO:

<u>Type of Investment/Coupon/CUSIP #</u>	<u>Institution/Issuer</u>	<u>Yield to Maturity</u>	<u>Maturity Date</u>	<u># Days to Maturity</u>	<u>Par Value</u>	<u>Market Value (1)</u>	<u>Book Value (2)</u>
Demand Deposit - General Checking	Montecito Bank	N/A	N/A	N/A	128,895.55	128,895.55	128,895.55
Demand Deposit - Premier Public Money Market	Montecito Bank	0.62%	12/1/2021	1	5,537,882.72	5,537,882.72	5,537,882.72
Demand Deposit - Section 125 Checking	Montecito Bank	N/A	N/A	N/A	12,576.18	12,576.18	12,576.18
Demand Deposit - Payroll Checking	Montecito Bank	N/A	N/A	N/A	102,000.00	102,000.00	102,000.00
Demand Deposit - Money Market	Charles Schwab	0.01%	12/1/2021	1	99,163.02	99,163.02	99,163.02
Local Agency Investment Fund	State of California	0.62%	12/1/2021	1	6,392,038.74	6,392,038.74	6,392,038.74
Treasury Note, 2.0%, (912828U81)	U.S. Government	0.14%	12/31/2021	31	107,000.00	107,150.46	106,711.89
Treasury Note, 1.875%, (912828V72)	U.S. Government	0.15%	1/31/2022	62	130,000.00	130,385.93	129,304.11
Treasury Note, 1.875%, (912828W55)	U.S. Government	0.15%	2/28/2022	90	138,000.00	138,603.75	137,594.13
Treasury Note, 1.875%, (912828W89)	U.S. Government	0.15%	3/31/2022	121	132,000.00	132,763.12	131,530.54
Treasury Note, 1.875%, (912828X47)	U.S. Government	0.16%	4/30/2022	151	167,000.00	168,226.40	166,999.92
Treasury Note, 1.75%, (912828XR6)	U.S. Government	0.16%	5/31/2022	182	179,000.00	180,454.38	178,310.26
Treasury Note, 1.75%, (912828XW5)	U.S. Government	0.16%	6/30/2022	212	177,000.00	178,687.02	176,343.17
Treasury Note, 1.875%, (9128282P4)	U.S. Government	0.16%	7/31/2022	243	177,000.00	179,046.56	176,924.33
Treasury Note, 1.625%, (9128282S8)	U.S. Government	0.16%	8/31/2022	274	168,000.00	169,837.50	167,062.69
Treasury Note, 1.875%, (9128282W9)	U.S. Government	0.16%	9/30/2022	304	165,000.00	167,294.52	164,718.17
Treasury Note, 2.0%, (9128283C2)	U.S. Government	0.16%	10/31/2022	335	179,000.00	181,880.77	178,509.11
Treasury Note, 2.0%, (912828M80)	U.S. Government	0.17%	11/30/2022	365	175,000.00	178,035.15	174,454.00
Treasury Note, 2.125%, (912828N30)	U.S. Government	0.17%	12/31/2022	396	161,000.00	164,194.84	160,091.79
Treasury Note, 2.375%, (9128283U2)	U.S. Government	0.17%	1/31/2023	427	169,000.00	173,066.56	168,003.85
Treasury Note, 2.625%, (9128284A5)	U.S. Government	0.17%	2/28/2023	455	171,000.00	175,836.09	171,184.09
Treasury Note, 2.5%, (9128284D9)	U.S. Government	0.17%	3/31/2023	486	171,000.00	178,836.09	170,243.30
Treasury Note, 2.625%, (9128284U1)	U.S. Government	0.19%	6/30/2023	577	100,000.00	103,453.12	99,563.57
Treasury Note, 2.75%, (912828Y61)	U.S. Government	0.19%	7/31/2023	608	400,000.00	415,250.00	398,795.22
Treasury Note, 2.75%, (9128284X5)	U.S. Government	0.20%	8/31/2023	639	400,000.00	415,687.48	399,721.60
Treasury Note, 2.875%, (9128285D8)	U.S. Government	0.20%	9/30/2023	669	250,000.00	260,742.18	249,335.00
Treasury Note, 2.5%, (9128285Z9)	U.S. Government	0.22%	1/31/2024	792	200,000.00	208,062.50	199,388.94
Treasury Note, 2.375%, (9128286G0)	U.S. Government	0.23%	2/29/2024	821	200,000.00	207,687.50	199,264.00
					<u>16,388,556.21</u>	<u>16,487,738.13</u>	<u>16,376,609.89</u>

REPORT ON COMPLIANCE WITH STATEMENT OF SAFEKEEPING AND INVESTMENT OF PUBLIC FUNDS

The City is in compliance with the adopted Statement of Safekeeping and Investment of Public Funds.

**CITY OF CARPINTERIA TREASURER'S REPORT
For the Month Ended November 2021**

REPORT OF ABILITY TO MEET REQUIRED EXPENDITURES FOR THE NEXT SIX MONTHS

Based upon currently budgeted revenues and expenditures, the City currently has sufficient liquid financial resources to meet anticipated expenditures during the period 12/01/21 through 6/01/22.

WEIGHTED AVERAGE MATURITY OF PORTFOLIO

As of November 30, 2021 the weighted average days to maturity of the City's investment portfolio is 1.15 years.

FOOTNOTES TO REPORT/DEFINITION OF TERMS:

- (1) The market value of U.S. Government Securities was provided by the custodial agent, Charles Schwab.
For the Local Agency Investment Fund the market value represents the contract value.

For all other investments, the market value is equal to book value.

- (2) Book value of demand deposits equals the bank balance minus outstanding checks plus deposits-in-transit.

Par Value: Equals face value of security (value of the security when it reaches maturity).

Market Value: The last price for which a security was bought or sold. In this case, the value as of the last day of the month of this report.

Book Value: The amount at which the security is carried in the City's accounting records (adjusted at year-end for GASB 40 reporting purposes).



City of Carpinteria

COUNCIL AGENDA STAFF REPORT January 10, 2022

ITEM FOR COUNCIL CONSIDERATION

Second Reading and adoption of Ordinance No. 750, adding Article V (Specific Regulations for Organics Waste Disposal, Reduction, Recycling, and Solid Waste Collection) to Chapter 8.08 (Integrated Waste Management) of the Carpinteria Municipal Code.

STAFF RECOMMENDATION

Adopt Ordinance No. 750 (second reading).

Sample Motion: I move to adopt Ordinance No. 750. *(Requires a roll call vote.)*

BACKGROUND

On December 13, 2021, the City Council approved on first reading Ordinance No. 750. The purpose of this agenda matter is to hold the second reading of Ordinance No. 750 and provide the opportunity for City Council adoption.

DISCUSSION

Ordinance No. 750 applies to Organics Waste Disposal, Reduction, Recycling, and Solid Waste Collection, as summarized below.

Ordinance adoption is one of the key milestones in order to comply with Senate Bill (SB) 1383. Ordinance No. 750 would enact the new regulations of SB 1383 into Carpinteria Municipal Code Chapter 8.08., which also mandates organic waste generators, haulers, and other entities to the SB 1383 requirements. These requirements include implementation and enforcement for waste generators to participate in organic waste collection programs. For example, owners of multi-family and commercial properties, and property managers are required to support organic waste disposal reduction. Ordinance No. 750 would also help reduce food insecurity by requiring Commercial Edible Food Generators to arrange for the maximum amount of their edible food, which would otherwise be disposed, to be recovered for human consumption. Commercial

edible food generators are required to recover edible food through contracts or written agreements with food recovery organizations and services.

POLICY CONSISTENCY

The establishment of these regulations is a requirement of SB 1383 and required to be implemented January 1, 2022. This is a part of the City's Integrated Waste Management policies and goals.

This ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061 (b)(3) and 15308 on the grounds that it can be seen with certainty that the enhanced solid waste regulations, as provided for in this ordinance, will not have a significant effect on the environment and that the new requirements, which strengthen requirements for the handling of solid waste, organics, and recyclables, represent actions by a regulatory agency (i.e. City) for the protection of the environment. Additionally, the proposed ordinance is not a "Project" for the purposes of CEQA as that term is defined in CEQA Guidelines Section 15378.

FINANCIAL CONSIDERATIONS/FISCAL IMPACT

SB 1383 implementation will entail additional staffing and administrative costs to both the City and E.J. Harrison & Sons as well as capital outlays by E.J. Harrison & Sons. At this time, an accurate account of additional costs is not known until actual program implementation is undertaken. Costs of SB 1383 implementation are most likely to be recovered through a refuse and recycling service rate adjustment to be proposed by E.J. Harrison & Sons in the coming year and/or the recovery of City-incurred costs through administrative fees to be paid by E.J. Harrison & Sons to the City pursuant to solid waste franchise agreement.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

Should the City Council not adopt Ordinance No. 750, the City will be subject to enforcement action from the California Department of Resources Recycling and Recovery.

OPTIONS

No other options are recommended except those mandated by Chapter 12 of Title 14, Division 7 of the California Code of Regulations which requires local jurisdictions to adopt an ordinance of similarly enforceable mechanism by January 1, 2022.

ATTACHMENTS

Attachment A: Ordinance No. 750

Staff contact:

Erin Maker, Environmental Program Manager
(805) 495-7521, erinm@ci.carpinteria.ca.us



Signature

Reviewed by:

John L. Ilasin P.E., Public Works Director
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Signature

Reviewed by:

Dave Durlinger, City Manager
(805) 755-4400, daved@ci.carpinteria.ca.us



Signature

ATTACHMENT A
Ordinance No. 750

ORDINANCE NO. 750
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CARPINTERIA, CALIFORNIA, ADDING ARTICLE V (SPECIFIC
REGULATIONS FOR ORGANICS WASTE DISPOSAL, REDUCTION,
RECYCLING, AND SOLID WASTE COLLECTION) TO CHAPTER 8.08
(INTEGRATED WASTE MANAGEMENT) OF THE CARPINTERIA
MUNICIPAL CODE TO ENACT REGULATIONS IN COMPLIANCE WITH
SENATE BILL (SB) 1383 FOR THE IMPLEMENTATION OF FOOD AND
ORGANICS RECYCLING AND RELATED SOLID WASTE AND
RECYCLING PROCESSING AND REPORTING

WHEREAS, Assembly Bill (AB) 939 of 1989, the California Integrated Waste Management Act of 1989 (California Public Resources Code Section 40000, et seq., as amended, supplemented, superseded, and replaced from time to time), requires cities and counties to reduce, reuse, and recycle (including composting) solid waste generated in their jurisdictions to the maximum extent feasible before any incineration or landfill disposal of waste, to conserve water, energy, and other natural resources, and to protect the environment; and

WHEREAS, AB 341 of 2011 places requirements on businesses and multi-family property owners that generate a specified threshold amount of solid waste to arrange for recycling services and requires the City to implement a mandatory commercial recycling program; and

WHEREAS, AB 1826 of 2014 requires businesses and multi-family property owners that generate a specified threshold amount of solid waste, recycling, and organic waste per week to arrange for recycling services for that waste, requires cities to implement a recycling program to divert organic waste from businesses subject to the law, and requires cities to implement a mandatory commercial organics recycling program; and

WHEREAS, SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires the California Department of Resources Recycling and Recovery ("CalRecycle") to develop regulations to reduce organics in landfills as a source of methane. As adopted by CalRecycle, these SB 1383 regulations ("SB 1383 Regulations") place requirements on multiple entities including the City of Carpinteria, residential households, commercial businesses and business owners, commercial edible food generators, haulers, self-haulers, food recovery organizations, and food recovery services to support achievement of statewide organic waste disposal reduction targets; and

WHEREAS, the SB 1383 Regulations require the City to adopt and enforce an ordinance or other enforceable mechanism to implement relevant provisions of the SB 1383 Regulations, and to reduce community food insecurity by requiring commercial edible food generators to arrange to have the maximum amount of their edible food, that would otherwise be disposed, be recovered for human consumption; and

WHEREAS, this Ordinance implements the requirements of AB 341, AB 1826, and the SB 1383 Regulations; and

WHEREAS, on December 13, 2021, the City Council of the City of Carpinteria held a duly noticed public hearing on the Ordinance, reviewed and considered the staff report, other written reports, public testimony and other information contained in the record.

THE CITY COUNCIL OF THE CITY OF CARPINTERIA DOES ORDAIN AS FOLLOWS:

SECTION 1. INCORPORATION OF RECITALS

The facts set forth in the recitals in this Ordinance are true and correct and incorporated by reference. The recitals constitute findings in this matter and, together with the staff report, other written reports, public testimony and other information contained in the record, are an adequate and appropriate evidentiary basis for the actions taken in the Ordinance.

SECTION 2. ADDITION OF ARTICLE V (SPECIFIC REGULATIONS FOR ORGANICS WASTE DISPOSAL, REDUCTION, RECYCLING, AND SOLID WASTE COLLECTION) TO CHAPTER 8.08 (INTEGRATED WASTE MANAGEMENT) OF THE CARPINTERIA MUNICIPAL CODE

The Ordinance is hereby adopted by the addition of Article V (Specific Regulations for Organic Waste Disposal Reduction, Recycling and Solid Waste Collection) in Carpinteria Municipal Code Chapter 8.08 (Integrated Waste Management) to read in its entirety as shown in Exhibit "A" attached hereto and incorporated herein by this reference.

SECTION 3. EFFECTIVE DATE

This Ordinance shall be in full force and effect thirty (30) days following a second reading of the Ordinance; and before the expiration of fifteen (15) days following passage, this Ordinance shall be published once with the names of the members of the City Council voting for and against the same in the Coastal View News, a newspaper of general circulation, published in the City of Carpinteria.

SECTION 4. SEVERABILITY

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decisions shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance, and each and

all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION 5. CEQA EXEMPTION

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Sections 15060(c)(3) (this activity is not a "project" as defined in Section 15378) and 15060(c)(2) (this activity will not result in a direct or reasonably foreseeable change in the environment).

SECTION 6. LIMITED EFFECT

Except as explicitly provided herein, all other provisions of Carpinteria Municipal Code Chapter 8.08 (Integrated Waste Management) shall remain unchanged and in full force and effect.

PASSED, APPROVED AND ADOPTED on January 10, 2022, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

Mayor, City of Carpinteria

ATTEST:

Acting City Clerk, City of Carpinteria

I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held on January 10, 2022.

Acting City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena S. Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria

Exhibit "A"

Article V. - Specific Regulations for Organic Waste Disposal Reduction, Recycling and Solid Waste Collection

- 8.08.800 - Purpose and findings.
- 8.08.810 - Title of ordinance.
- 8.08.820 - Definitions.
- 8.08.830 - Requirements for single-family generators.
- 8.08.840 - Requirements for commercial businesses.
- 8.08.850 - Waivers for generators.
- 8.08.860 - Requirements for commercial edible food generators.
- 8.08.870 - Requirements for food recovery organizations and services.
- 8.08.880 - Requirements for haulers and facility operators.
- 8.08.890 - Self-hauler requirements.
- 8.08.900 - Compliance with CAL Green recycling requirements.
- 8.08.910 - Model water efficient landscaping ordinance requirements.
- 8.08.920 - Procurement requirements for city departments, direct service providers, and vendors.
- 8.08.930 - Inspections and investigations.
- 8.08.940 - Enforcement.
- 8.08.950 - Coordination and interpretation in conjunction with related solid waste ordinances.
- 8.08.960 - Effective date.

8.08.800 - Purpose and findings.

The City finds and declares:

A. State recycling law, Assembly Bill 939 of 1989, the California Integrated Waste Management Act of 1989 (California Public Resources Code Section 40000, et seq., as amended, supplemented, superseded, and replaced from time to time), requires cities and counties to reduce, reuse, and recycle (including Composting) Solid Waste generated in their cities to the maximum extent feasible before any incineration or landfill disposal of waste, to conserve water, energy, and other natural resources, and to protect the environment.

B. State recycling law, Assembly Bill 341 of 2011 (approved by the Governor of the State of California on October 5, 2011, which amended Sections 41730, 41731, 41734, 41735, 41736, 41800, 42926, 44004, and 50001 of, and added Sections 40004, 41734.5, and 41780.01 and Chapter 12.8 (commencing with Section 42649) to Part 3 of Division 30 of, and added and repealed Section 41780.02 of, the Public Resources Code, as amended, supplemented, superseded and replaced from time to time), places requirements on businesses and Multi-Family property owners that generate a specified threshold amount of Solid Waste to arrange for recycling services and requires cities to implement a Mandatory Commercial Recycling program.

C. State organics recycling law, Assembly Bill 1826 of 2014 (approved by the Governor of the State of California on September 28, 2014, which added Chapter 12.9 (commencing with Section 42649.8) to Part 3 of Division 30 of the Public Resources Code, relating to Solid Waste, as amended, supplemented, superseded, and replaced from time to time), requires businesses and Multi-Family property owners that generate a specified threshold amount of Solid Waste, Recycling, and Organic Waste per week to arrange for recycling services for that waste, requires cities to implement a recycling program to divert Organic Waste from businesses subject to the law, and requires cities to implement a Mandatory Commercial Organics Recycling program.

D. SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires CalRecycle to develop regulations to reduce organics in landfills as a source of methane. The regulations place requirements on multiple entities including cities, residential households, Commercial Businesses and business owners, Commercial Edible Food Generators, haulers, Self-Haulers, Food Recovery Organizations, and Food Recovery Services to support achievement of Statewide Organic Waste disposal reduction targets.

E. SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires cities to adopt and enforce an ordinance or enforceable mechanism to implement relevant provisions of SB 1383 Regulations. This ordinance will also help reduce food insecurity by requiring Commercial Edible Food Generators to arrange to have the maximum amount of their Edible Food, that would otherwise be disposed, be recovered for human consumption.

8.08.810 - Title of ordinance.

This Article shall be entitled "Specific Regulations for Organic Waste Disposal Reduction, Recycling and Solid Waste Collection".

8.08.820 - Definitions.

"Blue Container" has the same meaning as in 14 CCR Section 18982.2(a)(5) and shall be used for the purpose of storage and collection of Source Separated Recyclable Materials or Source Separated Blue Container Organic Waste.

"CalRecycle" means California's Department of Resources Recycling and Recovery, which is the Department designated with responsibility for developing, implementing, and enforcing SB 1383 Regulations.

"California Code of Regulations" or "CCR" means the State of California Code of Regulations. CCR references in this Chapter are preceded with a number that refers to the relevant Title of the CCR (e.g., "14 CCR" refers to Title 14 of CCR).

"City" means the City of Carpinteria, California, within its jurisdictional boundaries.

“City Enforcement Official” means the City Manager or his/her authorized designee(s) who is/are partially or wholly responsible for enforcing this this Chapter.

“Commercial Business” or “Commercial” means a firm, partnership, proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, strip mall, industrial facility, or a multifamily residential dwelling, or as otherwise defined in 14 CCR Section 18982(a)(6). A Multi-Family Residential Dwelling that consists of fewer than five (5) units is not a Commercial Business for purposes of implementing this Chapter.

“Commercial Edible Food Generator” includes a Tier One or a Tier Two Commercial Edible Food Generator as defined hereinbelow of this Section 8.08.820 or as otherwise defined in 14 CCR Section 18982(a)(73) and (a)(74). For the purposes of this definition, Food Recovery Organizations and Food Recovery Services are not Commercial Edible Food Generators pursuant to 14 CCR Section 18982(a)(7).

“Compliance Review” means a review of records by a City to determine compliance with this Chapter.

“Community Composting” means any activity that Composts green material, agricultural material, food material, and vegetative food material, alone or in combination, and the total amount of feedstock and Compost on-site at any one time does not exceed 100 cubic yards and 750 square feet, as specified in 14 CCR Section 17855(a)(4); or, as otherwise defined by 14 CCR Section 18982(a)(8).

“Compost” has the same meaning as in 14 CCR Section 17896.2(a)(4), which stated, as of the effective date of this Chapter, that “Compost” means the product resulting from the controlled biological decomposition of organic Solid Wastes that are Source Separated from the municipal Solid Waste stream, or which are separated at a centralized facility.

“Compostable Plastics” or “Compostable Plastic” means plastic materials that meet the ASTM D6400 standard for Compostability, or as otherwise described in 14 CCR Section 18984.1(a)(1)(A) or 18984.2(a)(1)(C).

“Contamination” or “Contaminated Container” means a container, regardless of color, that contains Prohibited Container Contaminants, or as otherwise defined in 14 CCR Section 18982(a)(55).

“C&D” means construction and demolition debris.

“Designee” means an entity that a City contracts with or otherwise arranges to carry out any of the City’s responsibilities of this Chapter as authorized in 14 CCR Section 18981.2. A Designee may be a government entity, a hauler, a private entity, or a combination of those entities.

"Edible Food" means food intended for human consumption, or as otherwise defined in 14 CCR Section 18982(a)(18). For the purposes of this Chapter or as otherwise defined in 14 CCR Section 18982(a)(18), "Edible Food" is not Solid Waste if it is recovered and not discarded. Nothing in this Chapter or in 14 CCR, Division 7, Chapter 12 requires or authorizes the Recovery of Edible Food that does not meet the food safety requirements of the California Retail Food Code.

"Enforcement Action" means an action of the City to address non-compliance with this Chapter including, but not limited to, issuing administrative citations, fines, penalties, or using other remedies.

"Excluded Waste" means hazardous substance, hazardous waste, infectious waste, designated waste, volatile, corrosive, medical waste, infectious, regulated radioactive waste, and toxic substances or material that facility operator(s), which receive materials from the City and its Generators, reasonably believe(s) would, as a result of or upon acceptance, transfer, processing, or disposal, be a violation of local, State, or Federal law, regulation, or ordinance, including without limitation: land use restrictions or conditions, waste that cannot be disposed of in Class III landfills or accepted at the facility by permit conditions, waste that, in City's or its Designee's reasonable opinion, would present a significant risk to human health or the environment, cause a nuisance or otherwise create or expose City, or its Designee, to potential liability; but not including de minimis volumes or concentrations of waste of a type and amount normally found in Single-Family or Multi-Family Solid Waste after implementation of programs for the safe collection, processing, recycling, treatment, and disposal of batteries and paint in compliance with Sections 41500 and 41802 of the California Public Resources Code.

"Food Distributor" means a company that distributes food to entities including, but not limited to, Supermarkets and Grocery Stores, or as otherwise defined in 14 CCR Section 18982(a)(22).

"Food Facility" has the same meaning as in Section 113789 of the Health and Safety Code.

"Food Recovery" means actions to collect and distribute food for human consumption that otherwise would be disposed, or as otherwise defined in 14 CCR Section 18982(a)(24).

"Food Recovery Organization" means an entity that engages in the collection or receipt of Edible Food from Commercial Edible Food Generators and distributes that Edible Food to the public for Food Recovery either directly or through other entities or as otherwise defined in 14 CCR Section 18982(a)(25), including, but not limited to:

1. A food bank as defined in Section 113783 of the Health and Safety Code;

2. A nonprofit charitable temporary food facility as defined in Section 113841 of the Health and Safety Code; and
3. A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

A Food Recovery Organization is not a Commercial Edible Food Generator for the purposes of this Chapter and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7). If the definition in 14 CCR Section 18982(a)(25) for Food Recovery Organization differs from this definition, the definition in 14 CCR Section 18982(a)(25) shall apply to this Chapter.

“Food Recovery Service” means a person or entity that collects and transports Edible Food from a Commercial Edible Food Generator to a Food Recovery Organization or other entities for Food Recovery, or as otherwise defined in 14 CCR Section 18982(a)(26). A Food Recovery Service is not a Commercial Edible Food Generator for the purposes of this Chapter and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7).

“Food Scraps” means all food such as, but not limited to, fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bread, cheese, and eggshells. Food Scraps excludes fats, oils, and grease when such materials are Source Separated from other Food Scraps.

“Food Service Provider” means an entity primarily engaged in providing food services to institutional, governmental, commercial, or industrial locations of others based on contractual arrangements with these types of organizations, or as otherwise defined in 14 CCR Section 18982(a)(27).

“Food-Soiled Paper” is Compostable paper material that has come in contact with food or liquid, such as, but not limited to, Compostable paper plates, paper coffee cups, napkins, pizza boxes, and milk cartons.

“Food Waste” means Food Scraps and Food-Soiled Paper.

“Gray Container” has the same meaning as in 14 CCR Section 18982(a)(28) and shall be used for the purpose of storage and collection of Gray Container Waste. Per the definition provided in 14 CCR Section 18982(a)(28), the Gray Container may actually be black, or black with a gray lid.

“Gray Container Waste” means Solid Waste that is collected in a Gray Container that is part of a three-container Organic Waste collection service that prohibits the placement of Organic Waste in the Gray Container as specified in 14 CCR Sections 18984.1(a) and (b), or as otherwise defined in 14 CCR Section 17402(a)(6.5).

“Green Container” has the same meaning as in 14 CCR Section 18982.2(a)(29) and shall be used for the purpose of storage and collection of Source Separated Green Container Organic Waste.

“Grocery Store” means a store primarily engaged in the retail sale of canned food; dry goods; fresh fruits and vegetables; fresh meats, fish, and poultry; and any area that is not separately owned within the store where the food is prepared and served, including without limitation a bakery, deli, and meat and seafood departments, or as otherwise defined in 14 CCR Section 18982(a)(30).

“Hauler Route” means the designated itinerary or sequence of stops for each segment of the City’s collection service area, or as otherwise defined in 14 CCR Section 18982(a)(31.5).

“High Diversion Organic Waste Processing Facility” means a facility that is in compliance with the reporting requirements of 14 CCR Section 18815.5(d) and meets or exceeds an annual average Mixed Waste organic content Recovery rate of 50 percent between January 1, 2022 and December 31, 2024, and 75 percent after January 1, 2025, as calculated pursuant to 14 CCR Section 18815.5(e) for Organic Waste received from the “Mixed waste organic collection stream” as defined in 14 CCR Section 17402(a)(11.5); or, as otherwise defined in 14 CCR Section 18982(a)(33).

“Inspection” means a site visit where a City reviews records, containers, and an entity’s collection, handling, recycling, or landfill disposal of Organic Waste or Edible Food handling to determine if the entity is complying with requirements set forth in this Chapter, or as otherwise defined in 14 CCR Section 18982(a)(35).

“Large Event” means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event. If the definition in 14 CCR Section 18982(a)(38) differs from this definition, the definition in 14 CCR Section 18982(a)(38) shall apply to this Chapter.

“Large Venue” means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For purposes of this Chapter and implementation of 14 CCR, Division 7, Chapter 12, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For purposes of this Chapter and implementation of 14 CCR, Division 7, Chapter 12, a site under common ownership or control that includes more than one Large Venue that is contiguous with other Large Venues in the site, is a single Large Venue. If the definition in 14 CCR Section 18982(a)(39) differs from this definition, the definition in 14 CCR Section 18982(a)(39) shall apply to this Chapter.

“Local Education Agency” means a school district, charter school, or county office of education that is not subject to the control of City or county regulations related to Solid Waste, or as otherwise defined in 14 CCR Section 18982(a)(40).

“Multi-Family Residential Dwelling” or “Multi-Family” means of, from, or pertaining to residential premises with five (5) or more dwelling units. Multi-Family premises do not include hotels, motels, or other transient occupancy facilities, which are considered Commercial Businesses.

“MWELO” refers to the Model Water Efficient Landscape Ordinance, 23 CCR, Division 2, Chapter 2.7.

“Non-Compostable Paper” includes but is not limited to paper that is coated in a plastic material that will not breakdown in the Composting process, or as otherwise defined in 14 CCR Section 18982(a)(41).

“Non-Local Entity” means the following entities that are not subject to the City’s enforcement authority, or as otherwise defined in 14 CCR Section 18982(a)(42):

1. Special district(s) located within the boundaries of the City.
2. Federal facilities, including, without limitation, military installations, located within the boundaries of the City.
3. Prison(s) located within the boundaries of the City, excepting that private prisons are considered Commercial Businesses and do not fall within this definition.
4. Facilities operated by the State park system located within the boundaries of the City.
5. Public universities (including community colleges) located within the boundaries of the City.
6. County fairgrounds located within the boundaries of the City.
7. State agencies located within the boundaries of the City.

“Non-Organic Recyclables” means non-putrescible and non-hazardous recyclable wastes including but not limited to bottles, cans, metals, plastics and glass, or as otherwise defined in 14 CCR Section 18982(a)(43).

“Notice of Violation (NOV)” means a notice that a violation has occurred that includes a compliance date to avoid an action to seek penalties, or as otherwise defined in 14 CCR Section 18982(a)(45) or further explained in 14 CCR Section 18995.4.

“Organic Waste” means Solid Wastes containing material originated from living organisms and their metabolic waste products, including but not limited to food, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, Paper Products, Printing and Writing Paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46). Biosolids and digestate are as defined by 14 CCR Section 18982(a).

“Organic Waste Generator” means a person or entity that is responsible for the initial creation of Organic Waste, or as otherwise defined in 14 CCR Section 18982(a)(48).

“Paper Products” include, but are not limited to, paper janitorial supplies, cartons, wrapping, packaging, file folders, hanging files, corrugated boxes, tissue, and toweling, or as otherwise defined in 14 CCR Section 18982(a)(51).

“Printing and Writing Papers” include, but are not limited to, copy, xerographic, watermark, cotton fiber, offset, forms, computer printout paper, white wove envelopes, manila envelopes, book paper, note pads, writing tablets, newsprint, and other uncoated writing papers, posters, index cards, calendars, brochures, reports, magazines, and publications, or as otherwise defined in 14 CCR Section 18982(a)(54).

“Prohibited Container Contaminants” means the following: (i) discarded materials placed in the Blue Container that are not identified as acceptable Source Separated Recyclable Materials for the City’s Blue Container; (ii) discarded materials placed in the Green Container that are not identified as acceptable Source Separated Green Container Organic Waste for the City’s Green Container; (iii) discarded materials placed in the Gray Container that are acceptable Source Separated Recyclable Materials and/or Source Separated Green Container Organic Wastes to be placed in City’s Green Container and/or Blue Container; and, (iv) Excluded Waste placed in any container.

“Recovered Organic Waste Products” means products made from California, landfill-diverted recovered Organic Waste processed in a permitted or otherwise authorized facility, or as otherwise defined in 14 CCR Section 18982(a)(60).

“Recovery” means any activity or process described in 14 CCR Section 18983.1(b), or as otherwise defined in 14 CCR Section 18982(a)(49).

“Recycled-Content Paper” means Paper Products and Printing and Writing Paper that consists of at least 30 percent, by fiber weight, postconsumer fiber, or as otherwise defined in 14 CCR Section 18982(a)(61).

“Renewable Gas” means gas derived from Organic Waste that has been diverted from a California landfill and processed at an in-vessel digestion facility that is permitted or otherwise authorized by 14 CCR to recycle Organic Waste, or as otherwise defined in 14 CCR Section 18982(a)(62).

“Restaurant” means an establishment primarily engaged in the retail sale of food and drinks for on-premises or immediate consumption, or as otherwise defined in 14 CCR Section 18982(a)(64).

“Route Review” means a visual Inspection of containers along a Hauler Route for the purpose of determining Container Contamination, and may include

mechanical Inspection methods such as the use of cameras, or as otherwise defined in 14 CCR Section 18982(a)(65).

“SB 1383” means Senate Bill 1383 of 2016 approved by the Governor on September 19, 2016, which added Sections 39730.5, 39730.6, 39730.7, and 39730.8 to the Health and Safety Code, and added Chapter 13.1 (commencing with Section 42652) to Part 3 of Division 30 of the Public Resources Code, establishing methane emissions reduction targets in a Statewide effort to reduce emissions of short-lived climate pollutants as amended, supplemented, superseded, and replaced from time to time.

“SB 1383 Regulations” or “SB 1383 Regulatory” means or refers to, for the purposes of this Chapter, the Short-Lived Climate Pollutants: Organic Waste Reduction regulations developed by CalRecycle and adopted in 2020 that created 14 CCR, Division 7, Chapter 12 and amended portions of regulations of 14 CCR and 27 CCR.

“Self-Hauler” means a person, who hauls Solid Waste, Organic Waste or recyclable material he or she has generated to another person. Self-Hauler also includes a person who back-hauls waste, or as otherwise defined in 14 CCR Section 18982(a)(66). Back-haul means generating and transporting Organic Waste to a destination owned and operated by the Generator using the Generator’s own employees and equipment, or as otherwise defined in 14 CCR Section 18982(a)(66)(A).

“Single-Family” means of, from, or pertaining to any residential premises with fewer than five (5) units.

“Solid Waste” has the same meaning as defined in State Public Resources Code Section 40191, which defines Solid Waste as all putrescible and nonputrescible solid, semi-solid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, dewatered, treated, or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semi-Solid Wastes, and other discarded solid and semi-Solid Wastes, with the exception that Solid Waste does not include any of the following wastes:

1. Hazardous waste, as defined in the State Public Resources Code Section 40141.
2. Radioactive waste regulated pursuant to the State Radiation Control Law (Chapter 8 (commencing with Section 114960) of Part 9 of Division 104 of the State Health and Safety Code).
3. Medical waste regulated pursuant to the State Medical Waste Management Act (Part 14 (commencing with Section 117600) of Division 104 of the State Health and Safety Code). Untreated medical waste shall not be disposed of in a Solid Waste landfill, as defined in State Public Resources Code Section 40195.1. Medical

waste that has been treated and deemed to be Solid Waste shall be regulated pursuant to Division 30 of the State Public Resources Code.

“Source Separated” means materials, including commingled recyclable materials, that have been separated or kept separate from the Solid Waste stream, at the point of generation, for the purpose of additional sorting or processing those materials for recycling or reuse in order to return them to the economic mainstream in the form of raw material for new, reused, or reconstituted products, which meet the quality standards necessary to be used in the marketplace, or as otherwise defined in 14 CCR Section 17402.5(b)(4). For the purposes of the ordinance, Source Separated shall include separation of materials by the Generator, property owner, property owner’s employee, property manager, or property manager’s employee into different containers for the purpose of collection such that Source Separated materials are separated from Gray Container Waste or other Solid Waste for the purposes of collection and processing.

“Source Separated Blue Container Organic Waste” means Source Separated Organic Waste that can be placed in a Blue Container that (i) is limited to the collection of those Organic Wastes and Non-Organic Recyclables as defined in Section 18982(a)(43), or as otherwise defined by Section 17402(a)(18.7), and (ii) excludes any other Organic Waste that an Organics Waste Facility may reject to maintain any organics-related Composting certifications including but not limited to organic carpets and textiles, contaminated wood or lumber, manure, digestate, biosolids, and sludges.

“Source Separated Green Container Organic Waste” means Source Separated Organic Waste that can be placed in a Green Container that is specifically intended for the separate collection of Organic Waste by the Generator, excluding Source Separated Blue Container Organic Waste; Non-Compostable Paper; Paper Products; Printing and Writing Paper; and any other Organic Waste that an Organics Waste Facility may reject to maintain any organics-related Composting certifications including but not limited to organic carpets and textiles, contaminated wood or lumber, manure, digestate, biosolids, and sludges.

“Source Separated Recyclable Materials” means Source Separated Non-Organic Recyclables and Source Separated Blue Container Organic Waste.

“State” means the State of California.

“Supermarket” means a full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000), or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items, or as otherwise defined in 14 CCR Section 18982(a)(71).

“Tier One Commercial Edible Food Generator” means a Commercial Edible Food Generator that is one of the following:

1. Supermarket.
2. Grocery Store with a total facility size equal to or greater than 10,000 square feet.
3. Food Service Provider.
4. Food Distributor.
5. Wholesale Food Vendor.

If the definition in 14 CCR Section 18982(a)(73) of Tier One Commercial Edible Food Generator differs from this definition, the definition in 14 CCR Section 18982(a)(73) shall apply to this Chapter.

“Tier Two Commercial Edible Food Generator” means a Commercial Edible Food Generator that is one of the following:

1. Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.
2. Hotel with an on-site Food Facility and 200 or more rooms.
3. Health facility with an on-site Food Facility and 100 or more beds.
4. Large Venue.
5. Large Event.
6. A State agency with a cafeteria with 250 or more seats or total cafeteria facility size equal to or greater than 5,000 square feet.
7. A Local Education Agency facility with an on-site Food Facility.

If the definition in 14 CCR Section 18982(a)(74) of Tier Two Commercial Edible Food Generator differs from this definition, the definition in 14 CCR Section 18982(a)(74) shall apply to this Chapter.

“Wholesale Food Vendor” means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination, or as otherwise defined in 14 CCR Section 189852(a)(76).

8.08.830 - Requirements for single-family generators.

Organic Waste Generators shall subscribe to a three container collection service which includes a Blue Container, Green Container and Gray Container, and shall comply with the following requirements, except Single-Family Generators that meet the Self-Hauler requirements in this Carpinteria Municipal Code and to the extent permitted by the Code.

A. Shall subscribe to City’s Organic Waste collection services for all Organic Waste generated as described in Section 8.08.830(B). City or its Designee shall have the right to review the number and size of a Generator’s containers to evaluate adequacy of capacity provided for each type of collection service for proper separation of materials and containment of materials; and, Single-Family

Generators shall adjust their service level for collection services as requested by the City or its Designee. Generators may additionally manage their Organic Waste by preventing or reducing their Organic Waste, managing Organic Waste on site, and/or using a Community Composting site pursuant to 14 CCR Section 18984.9(c).

B. Shall participate in the City's Organic Waste collection service(s) by placing designated materials in designated containers as described below, and shall not place Prohibited Container Contaminants in collection containers.

1. Generator shall place Source Separated Green Container Organic Waste, including Food Waste, in the Green Container; Source Separated Recyclable Materials in the Blue Container; and Gray Container Waste in the Gray Container. Generators shall not place materials designated for the Gray Container into the Green Container or Blue Container.

8.08.840 - Requirements for commercial businesses.

Generators that are Commercial Businesses, including Multi-Family Residential Dwellings, shall:

A. Subscribe to City's three-container collection services and comply with requirements of those services as described below in Section 8.08.840(B), except Commercial Businesses that meet all Self-Hauler requirements set forth in the Carpinteria Municipal Code. City or its Designee shall have the right to review the number and size of a Generator's containers and frequency of collection to evaluate adequacy of capacity provided for each type of collection service for proper separation of materials and containment of materials; and, Commercial Businesses shall adjust their service level for their collection services as requested by the City or its Designee.

B. Except Commercial Businesses that meet the Self-Hauler requirements in this Chapter participate in the City's Organic Waste collection service(s) by placing designated materials in designated containers as described below.

1. Generator shall place Source Separated Green Container Organic Waste, including Food Waste, in the Green Container; Source Separated Recyclable Materials in the Blue Container; and Gray Container Waste in the Gray Container. Generator shall not place materials designated for the Gray Container into the Green Container or Blue Container.
2. Supply and allow access to adequate number, size and location of collection containers with sufficient labels or colors (conforming with Subsections 3(a) and 3(b) below) for employees, contractors, tenants, and customers, consistent with City's Blue Container, Green Container, and Gray Container collection service or, if self-

hauling, per the Commercial Businesses' instructions to support its compliance with its self-haul program, in accordance with Section 8.08.890.

3. Excluding Multi-Family Residential Dwellings, provide containers for the collection of Source Separated Green Container Organic Waste and Source Separated Recyclable Materials in all indoor and outdoor areas where disposal containers are provided for customers, for materials generated by that business. Such containers do not need to be provided in restrooms. If a Commercial Business does not generate any of the materials that would be collected in one type of container, then the business does not have to provide that particular container in all areas where disposal containers are provided for customers. Pursuant to 14 CCR Section 18984.9(b), the containers provided by the business shall have either:
 - a. A body or lid that conforms with the container colors provided through the collection service provided by City, with either lids conforming to the color requirements or bodies conforming to the color requirements or both lids and bodies conforming to color requirements. A Commercial Business is not required to replace functional containers, including containers purchased prior to January 1, 2022, that do not comply with the requirements of the subsection prior to the end of the useful life of those containers, or prior to January 1, 2036, whichever comes first.
 - b. Container labels that include language or graphic images, or both, indicating the primary material accepted and the primary materials prohibited in that container, or containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the container. Pursuant 14 CCR Section 18984.8, the container labeling requirements are required on new containers commencing January 1, 2022.
4. Multi-Family Residential Dwellings are not required to comply with container placement requirements or labeling requirements in Subsection 3(b) pursuant to 14 CCR Section 18984.9(b).
5. To the extent practical through education, training, Inspection, and/or other measures, excluding Multi-Family Residential Dwellings, prohibit employees from placing materials in a container not designated for those materials per the City's Blue Container, Green Container, and Gray Container collection service or, if self-hauling, per the Commercial Businesses' instructions to support its

compliance with its self-haul program, in accordance with Section 8.08.890.

6. Excluding Multi-Family Residential Dwellings, periodically inspect Blue Containers, Green Containers, and Gray Containers for Contamination and inform employees if containers are contaminated and of the requirements to keep contaminants out of those containers pursuant to 14 CCR Section 18984.9(b)(3).
7. Annually provide information to employees, contractors, tenants, and customers about Organic Waste Recovery requirements and about proper sorting of Source Separated Green Container Organic Waste and Source Separated Recyclable Materials.
8. Provide education information before or within fourteen (14) days of occupation of the premises to new tenants that describes requirements to keep Source Separated Green Container Organic Waste and Source Separated Recyclable Materials separate from Gray Container Waste (when applicable) and the location of containers and the rules governing their use at each property.
9. Provide or arrange access for City or its Designee to their properties during all Inspections conducted in accordance with 8.08.930 of this Chapter to confirm compliance with the requirements of this Chapter.
10. Accommodate and cooperate with City's program for Inspection of the contents of containers for Prohibited Container Contaminants, which may be implemented by City at a later date, to evaluate Generator's compliance with this Section 8.08.840(B).
11. At Commercial Business's option and subject to any approval required from the City, implement a program for Inspection of the contents of its Blue Containers, Green Containers, and Gray Containers for the purpose of monitoring the contents of containers to determine appropriate levels of service and to identify Prohibited Container Contaminants.
12. If a Commercial Business wants to self-haul, meet the Self-Hauler requirements in Section 8.08.890 of this Chapter.
13. Nothing in this Section prohibits a generator from preventing or reducing waste generation, managing Organic Waste on site, or using a Community Composting site pursuant to 14 CCR Section 18984.9(c).

14. Commercial Businesses that are Tier One or Tier Two Commercial Edible Food Generators shall comply with Food Recovery requirements, pursuant to Section 8.08.860.

8.08.850 - Waivers for generators.

A. De Minimis Waivers - City may waive a Commercial Business' obligation (including Multi-Family Residential Dwellings) to comply with some or all of the Organic Waste requirements of this Chapter if the Commercial Business provides documentation that the business generates below a certain amount of Organic Waste material as described in Section 8.08.850(A)(2) below. Commercial Businesses requesting a de minimis waiver shall:

1. Submit an application specifying the services that they are requesting a waiver from and provide documentation as noted in Section 8.08.850(A)(2) below.
2. Provide documentation that either:
 - a. The Commercial Business' total Solid Waste collection service is two cubic yards or more per week and Organic Waste subject to collection in a Blue Container or Green Container comprises less than 20 gallons per week per applicable container of the business' total waste; or,
 - b. The Commercial Business' total Solid Waste collection service is less than two cubic yards per week and Organic Waste subject to collection in a Blue Container or Green Container comprises less than 10 gallons per week per applicable container of the business' total waste.
3. Notify City if circumstances change such that Commercial Business's Organic Waste exceeds the threshold required for waiver, in which case the waiver will be rescinded.
4. Provide written verification of eligibility for de minimis waiver every 5 years, if City has approved de minimis waiver.

B. Physical Space Waivers – City may waive a Commercial Business' or property owner's obligations (including Multi-Family Residential Dwellings) to comply with some or all of the recyclable materials and/or Organic Waste collection service requirements if the City has evidence from its own staff, a hauler, licensed architect, or licensed engineer demonstrating that the premises lack adequate space for the collection containers required for compliance with the Organic Waste collection requirements of Section 8.08.840. A Commercial Business or property owner may request a physical space waiver through the following process:

1. Submit an Exemption Request form to the Public Works Department specifying the type(s) of collection services for which they are requesting a compliance waiver.
2. Provide documentation that the premises lacks adequate space for Blue Containers and/or Green Containers including documentation from its hauler, licensed architect, or licensed engineer.
3. Provide written verification to the City Manager or his/her designee that it is still eligible for physical space waiver every five years, if City has approved application for a physical space waiver.

8.08.860 - Requirements for commercial edible food generators.

- A. Tier One Commercial Edible Food Generators must comply with the requirements of this Section commencing January 1, 2022, and Tier Two Commercial Edible Food Generators must comply commencing January 1, 2024, pursuant to 14 CCR Section 18991.3.
- B. Large Venue or Large Event operators not providing food services, but allowing for food to be provided by others, shall require Food Facilities operating at the Large Venue or Large Event to comply with the requirements of this Section, commencing January 1, 2024.
- C. Commercial Edible Food Generators shall comply with the following requirements:
 1. Arrange to recover the maximum amount of Edible Food that would otherwise be disposed.
 2. Contract with, or enter into a written agreement with Food Recovery Organizations or Food Recovery Services for: (i) the collection of Edible Food for Food Recovery; or, (ii) acceptance of the Edible Food that the Commercial Edible Food Generator self-hauls to the Food Recovery Organization for Food Recovery.
 3. Shall not intentionally spoil Edible Food that is capable of being recovered by a Food Recovery Organization or a Food Recovery Service.
 4. Allow City's designated enforcement entity or designated third party enforcement entity to access the premises and review records pursuant to 14 CCR Section 18991.4.
 5. Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:

- a. A list of each Food Recovery Service or Food Recovery Organization that collects or receives its Edible Food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b).
- b. A copy of all contracts or written agreements established under 14 CCR Section 18991.3(b).
- c. A record of the following information for each of those Food Recovery Services or Food Recovery Organizations:
 - i. The name, address and contact information of the Food Recovery Service or Food Recovery Organization.
 - ii. The types of food that will be collected by or self-hauled to the Food Recovery Service or Food Recovery Organization.
 - iii. The established frequency that food will be collected or self-hauled.
 - iv. The quantity of food, measured in pounds recovered per month, collected or self-hauled to a Food Recovery Service or Food Recovery Organization for Food Recovery.
- 6. No later than July 1st of each year commencing no later than July 1, 2022 for Tier One Commercial Edible Food Generators and July 1, 2024 for Tier Two Commercial Edible Food Generators provide an annual Food Recovery report to the City that includes the records listed in Section 8.08.860(C)(5)(c).

D. Nothing in this Chapter shall be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017 (approved by the Governor of the State of California on September 25, 2017, which added Article 13 [commencing with Section 49580] to Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code, and to amend Section 114079 of the Health and Safety Code, relating to food safety, as amended, supplemented, superseded and replaced from time to time).

8.08.870 - Requirements for food recovery organizations and services.

- A. Food Recovery Services collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement

established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(1):

1. The name, address, and contact information for each Commercial Edible Food Generator from which the service collects Edible Food.
2. The quantity in pounds of Edible Food collected from each Commercial Edible Food Generator per month.
3. The quantity in pounds of Edible Food transported to each Food Recovery Organization per month.
4. The name, address, and contact information for each Food Recovery Organization that the Food Recovery Service transports Edible Food to for Food Recovery.

B. Food Recovery Organizations collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR Section 18991.5(a)(2):

1. The name, address, and contact information for each Commercial Edible Food Generator from which the organization receives Edible Food.
2. The quantity in pounds of Edible Food received from each Commercial Edible Food Generator per month.
3. The name, address, and contact information for each Food Recovery Service that the organization receives Edible Food from for Food Recovery.

C. Food Recovery Organizations and Food Recovery Services shall inform Generators about California and Federal Good Samaritan Food Donation Act protection in written communications, such as in their contract or agreement established under 14 CCR Section 18991.3(b).

D. Food Recovery Organizations and Food Recovery Services that have their primary address physically located in the City and contract with or have written agreements with one or more Commercial Edible Food Generators pursuant to 14 CCR Section 18991.3(b) shall report to the City it is located in the total pounds of Edible Food recovered in the previous calendar year from the Tier One and Tier Two Commercial Edible Food Generators they have established a contract or written agreement with pursuant to 14 CCR Section 18991.3(b) no later than July 1, 2022.

E. In order to support Edible Food Recovery capacity planning assessments or other studies conducted by the County, City, special district that provides Solid

Waste collection services, or its designated entity, Food Recovery Services and Food Recovery Organizations operating in the City shall provide information and consultation to the City, upon request, regarding existing, or proposed new or expanded, Food Recovery capacity that could be accessed by the City and its Commercial Edible Food Generators. A Food Recovery Service or Food Recovery Organization contacted by the City shall respond to such request for information within 60 days, unless a shorter timeframe is otherwise specified by the City.

8.08.880 - Requirements for haulers and facility operators.

A. Exclusive or non-exclusive franchised hauler(s), as applicable, providing residential, Commercial, or industrial Organic Waste collection services to Generators within the City's boundaries shall meet the following requirements as a condition of approval of a contract, agreement, or similar contractual authorization with the City to collect Organic Waste:

1. Through written notice to the City annually on or before July 1, 2022, identify the facilities to which they will transport Organic Waste including facilities for Source Separated Recyclable Materials and Source Separated Green Container Organic Waste.
2. Transport Source Separated Recyclable Materials and Source Separated Green Container Organic Waste to a facility, operation, activity, or property that recovers Organic Waste as defined in 14 CCR, Division 7, Chapter 12, Article 2. Notwithstanding the foregoing, hauler shall not be required to transport any containers with Prohibited Container Contaminants to a facility, operation, activity, or property that recovers Organic Waste.
3. Obtain approval from the City to haul Organic Waste, unless it is transporting Source Separated Organic Waste to a Community Composting site or lawfully transporting C&D in a manner that complies with 14 CCR Section 18989.1, Section 8.08.900 hereof.
4. The authorization of exclusive or non-exclusive franchised hauler(s), as applicable, to collect Organic Waste shall comply with any education, equipment, signage, container labeling, container color, Contamination, monitoring, and reporting requirements relating to the collection of Organic Waste contained within its franchise agreement with the City.

B. Requirements for Facility Operators and Community Composting Operations

1. Owners of facilities, operations, and activities that recover Organic Waste, including, but not limited to, Compost facilities, in-vessel

digestion facilities, and publicly-owned treatment works shall, upon City request, provide information regarding available and potential new or expanded capacity at their facilities, operations, and activities, including information about throughput and permitted capacity necessary for planning purposes. Entities contacted by the City shall respond within 60 days.

2. Community Composting operators, upon City request, shall provide information to the City to support Organic Waste capacity planning, including, but not limited to, an estimate of the amount of Organic Waste anticipated to be handled at the Community Composting operation. Entities contacted by the City shall respond within 60 days.

8.08.890 - Self-hauler requirements.

A. Self-Haulers shall source separate all recyclable materials and Organic Waste (materials that the City otherwise requires Generators to separate for collection in the City's organics and recycling collection program) generated on-site from Solid Waste in a manner consistent with 14 CCR Sections 18984.1 and 18984.2, or shall haul Organic Waste to a High Diversion Organic Waste Processing Facility as specified in 14 CCR Section 18984.3.

B. Self-Haulers shall haul their Source Separated Recyclable Materials to a facility that recovers those materials; and haul their Source Separated Green Container Organic Waste to a Solid Waste facility, operation, activity, or property that processes or recovers Source Separated Organic Waste. Alternatively, Self-Haulers may haul Organic Waste to a High Diversion Organic Waste Processing Facility.

C. Self-Haulers that are Commercial Businesses (including Multi-Family Residential Dwellings) shall keep a record of the amount of Organic Waste delivered to each Solid Waste facility, operation, activity, or property that processes or recovers Organic Waste; this record shall be subject to Inspection by the City. The records shall include the following information:

1. Delivery receipts and weight tickets from the entity accepting the waste.
2. The amount of material in cubic yards or tons transported by the Generator to each entity.
3. If the material is transported to an entity that does not have scales on-site, or employs scales incapable of weighing the Self-Hauler's vehicle in a manner that allows it to determine the weight of materials received, the Self-Hauler is not required to record the

weight of material but shall keep a record of the entities that received the Organic Waste.

D. A residential Organic Waste Generator that self-hauls Organic Waste, to the extent permitted by this Municipal Code, is not required to record or report information in Section 8.08.890(C).

E. Self-Haulers that are Commercial Businesses (including Multi-Family Self-Haulers) shall provide information collected in Section 8.08.890(C) to the City if requested and within ten (10) days of such request.

8.08.900 - Compliance with CALGreen recycling requirements.

A. Persons applying for a permit from the City for new construction and building additions and alternations shall comply with the requirements of this Section and all required components of the California Green Building Standards Code, 24 CCR, Part 11, known as CALGreen, as amended, if its project is covered by the scope of CALGreen or more stringent requirements of the City. If the requirements of CALGreen are more stringent then the requirements of this Section, the CALGreen requirements shall apply. Project applicants shall refer to City's building and/or planning code for complete CALGreen requirements.

B. For projects covered by CALGreen or more stringent requirements of the City, the applicants must, as a condition of the City's permit approval, comply with the following:

1. Where five (5) or more Multi-Family dwelling units are constructed on a building site, provide readily accessible areas that serve occupants of all buildings on the site and are identified for the storage and collection of Blue Container and Green Container materials, consistent with the three container collection program offered by the City, or comply with provision of adequate space for recycling for Multi-Family and Commercial premises pursuant to Sections 4.408.1, 4.410.2, 5.408.1, and 5.410.1 of the California Green Building Standards Code, 24 CCR, Part 11 as amended provided amended requirements are more stringent than the CALGreen requirements for adequate recycling space effective January 1, 2020.
2. New Commercial construction or additions resulting in more than 30% of the floor area shall provide readily accessible areas identified for the storage and collection of Blue Container and Green Container materials, consistent with the three container collection program offered by the City, or shall comply with provision of adequate space for recycling for Multi-Family and Commercial premises pursuant to Sections 4.408.1, 4.410.2, 5.408.1, and 5.410.1 of the California Green Building Standards

Code, 24 CCR, Part 11 as amended provided amended requirements are more stringent than the CALGreen requirements for adequate recycling space effective January 1, 2020.

3. Comply with CALGreen requirements and applicable law related to management of C&D, including diversion of Organic Waste in C&D from disposal. Comply with all written and published City policies, ordinances, and/or administrative guidelines regarding the collection, recycling, diversion, tracking, and/or reporting of C&D.

8.08.910 - Model Water Efficient Landscaping Ordinance Requirements (MWELO).

A. Property owners or their building or landscape designers, including anyone requiring a building or planning permit, plan check, or landscape design review from the City, who are constructing a new (Single-Family, Multi-Family, public, institutional, or Commercial) project with a landscape area greater than 500 square feet, or rehabilitating an existing landscape with a total landscape area greater than 2,500 square feet, shall comply with Sections 492.6(a)(3)(B), (C), (D), and (G) of the MWELO, including sections related to use of Compost and mulch as delineated in this Section 8.08.910.

B. The following Compost and mulch use requirements that are part of the MWELO are now also included as requirements of this Chapter. Other requirements of the MWELO are in effect and can be found in 23 CCR, Division 2, Chapter 2.7.

C. Property owners or their building or landscape designers that meet the threshold for MWELO compliance outlined in Section 8.08.910(A) above shall:

1. Comply with Sections 492.6 (a)(3)(B)(C),(D) and (G) of the MWELO, which requires the submittal of a landscape design plan with a soil preparation, mulch, and amendments section to include the following:
 - a. For landscape installations, Compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six (6) inches into the soil. Soils with greater than six percent (6%) organic matter in the top six (6) inches of soil are exempt from adding Compost and tilling.
 - b. For landscape installations, a minimum three- (3-) inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife up to five percent (5%) of the landscape area

may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.

- c. Organic mulch materials made from recycled or post-consumer materials shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by local fuel modification plan guidelines or other applicable local ordinances.

- 2. The MWELo compliance items listed in this Section are not an inclusive list of MWELo requirements; therefore, property owners or their building or landscape designers that meet the threshold for MWELo compliance outlined in Section 8.08.910(A) shall consult the full MWELo for all requirements.

D. If, after the adoption of this Chapter, the California Department of Water Resources, or its successor agency, amends 23 CCR, Division 2, Chapter 2.7, Sections 492.6(a)(3)(B) (C), (D), and (G) of the MWELo September 15, 2015 requirements in a manner that requires jurisdictions to incorporate the requirements of an updated MWELo in a local ordinance, and the amended requirements include provisions more stringent than those required in this Section, the revised requirements of 23 CCR, Division 2, Chapter 2.7 shall be enforced.

8.08.920 - Procurement requirements for city departments, direct service providers, and vendors.

A. City departments, and direct service providers to the City, as applicable, must comply with the City-adopted procurement policy for Recovered Organic Waste Product Recycled-Content Paper.

B. All vendors providing Paper Products and Printing and Writing Paper to the City shall:

- 1. If fitness and quality are equal, provide Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper that consists of at least 30 percent, by fiber weight, postconsumer fiber instead of non-recycled products whenever recycled Paper Products and Printing and Writing Paper are available at the same or lesser total cost than non-recycled items.
- 2. Provide Paper Products and Printing and Writing Paper that meet Federal Trade Commission recyclability standard as defined in 16 Code of Federal Regulations (CFR) Section 260.12.

3. Certify in writing, under penalty of perjury, the minimum percentage of postconsumer material in the Paper Products and Printing and Writing Paper offered or sold to the City. This certification requirement may be waived if the percentage of postconsumer material in the Paper Products, Printing and Writing Paper, or both can be verified by a product label, catalog, invoice, or a manufacturer or vendor internet website.
4. Certify in writing, on invoices or receipts provided, that the Paper Products and Printing and Writing Paper offered or sold to the City is eligible to be labeled with an unqualified recyclable label as defined in 16 Code of Federal Regulations (CFR) Section 260.12.
5. Provide records to the City's designated personnel member for purposes of Recovered Organic Waste Product procurement recordkeeping in accordance with the City's Recycled-Content Paper procurement policy(ies) of all Paper Products and Printing and Writing Paper purchases within thirty (30) days of the purchase (both recycled-content and non-recycled content, if any is purchased) made by any division or department or employee of the City. Records shall include a copy (electronic or paper) of the invoice or other documentation of purchase, written certifications as required in Sections 8.08.920(B)(3) and (B)(4) of this Chapter for recycled-content purchases, purchaser name, quantity purchased, date purchased, and recycled content (including products that contain none), and if non-recycled content Paper Products or Printing and Writing Papers are provided, include a description of why Recycled-Content Paper Products or Printing and Writing Papers were not provided.

8.08.930 - Inspections and investigations.

A. City representatives and/or its designated entity, including Designees are authorized to conduct Inspections and investigations, at random or otherwise, of any collection container, collection vehicle loads, or transfer, processing, or disposal facility for materials collected from Generators, or Source Separated materials to confirm compliance with this Chapter by Organic Waste Generators, Commercial Businesses (including Multi-Family Residential Dwellings), property owners, Commercial Edible Food Generators, Self-Haulers, Food Recovery Services, and Food Recovery Organizations, subject to applicable laws. This Section does not allow City to enter the interior of a private residential property for Inspection.

B. Organic Waste Generators, Commercial Businesses (including Multi-Family Residential Dwellings), property owners, Commercial Edible Food Generators, Self-Haulers, Food Recovery Services, and Food Recovery Organizations shall provide or arrange for access during all Inspections (with the exception of residential property interiors) and shall cooperate with the City's

personnel or its Designee during such Inspections and investigations. Such Inspections and investigations may include confirmation of proper placement of materials in containers, Edible Food Recovery activities, records, or any other requirement of this Chapter described herein. Failure to provide or arrange for: (i) access to an entity's premises, or (ii) access to records for any Inspection or investigation is a violation of this Chapter and may result in penalties described.

C. Any records obtained by the City during its Inspections and other reviews shall be subject to the requirements and applicable disclosure exemptions of the Public Records Act as set forth in Government Code Section 6250 et seq.

D. City representatives/personnel and/or Designee are authorized to conduct any Inspections or other investigations of Organic Waste Generators, Commercial Businesses (including Multi-Family Residential Dwellings), property owners, Commercial Edible Food Generators, Self-Haulers, Food Recovery Services, and Food Recovery Organizations as reasonably necessary to further the goals of this Chapter, subject to applicable laws.

E. City shall receive written complaints from persons regarding an entity that may be potentially non-compliant with SB 1383 Regulations, including receipt of anonymous complaints.

8.08.940 - Enforcement.

A. Violation of any provision of this Chapter shall constitute grounds for issuance of a Notice of Violation and assessment of a fine by a City Enforcement Official or representative. Enforcement Actions under this Chapter include, but are not limited to, issuance of an administrative citation and assessment of a fine. In addition to the procedures in this Section 8.08.940, the City may enforce this Chapter consistent with the procedures in Carpinteria Municipal Code Chapter 1.08 Penalties.

B. Other remedies allowed by law may be used for enforcement, including but not limited to civil action or prosecution as misdemeanor or infraction. The City may pursue civil actions in the California courts to seek recovery of unpaid administrative citations. The City may choose to delay court action until such time as a sufficiently large number of violations, or cumulative size of violations exist such that court action is a reasonable use of City staff and resources.

C. Responsible Entity for Enforcement

1. Enforcement pursuant to this Chapter may be undertaken by the City Enforcement Official or his/her designee authorized and legally able to undertake such action.

- a. The City Enforcement Official or his/her designee will interpret this Chapter; determine the applicability of waivers,

if violation(s) have occurred; implement Enforcement Actions; and, determine if compliance standards are met.

- b. The City Enforcement Official or his/her designee may issue Notices of Violation(s).

D. Process for Enforcement

1. The City Enforcement Official or his/her designee will monitor compliance with this Chapter randomly and through Compliance Reviews, Route Reviews, investigation of complaints, and an Inspection program. Section 8.08.930 establishes City's right to conduct Inspections and investigations.
2. City may issue an official notification to notify regulated entities of its obligations under the ordinance.
3. Contamination Prevention.
 - a. For incidences of Prohibited Container Contamination found by City or its Designee in containers, City will issue a Notice of Violation to any Generator found to have Prohibited Container Contamination in a container. Prior to issuance of a Notice of Violation, City's Designee may provide an informal warning(s) or notice(s) of Container Contaminants via cart tag. Thereafter, any Notice of Violation shall be provided by the City via mail within two (2) days after City determines a violation has occurred with respect to Prohibited Container Contaminants. If the City or its Designee observes Prohibited Container Contaminants in a Generator's containers on more than two (2) occasion(s) in any calendar year starting January 1, the City may assess an administrative fine or penalty on the Generator in accordance with Section 8.08.940(E).
 - b. In addition to 8.08.940(D)(3)(a), Designee may implement through Designee's service rate structure a Contamination service charge for customers committing incidents of Prohibited Container Contamination. Designee shall provide such customers with written notice and/or cart tags, or such other procedures required under any contract, agreement, or similar contractual authorization between the City and its Designee, prior to levying any Contamination service charge. The foregoing Contamination service charge shall not be considered an administrative fine or penalty. Any disputes arising from the assessment of a Contamination service charge shall be adjudicated pursuant to the customer complaint resolution process provided under the terms of

any contract, agreement, or similar contractual authorization between the City and its Designee assigned to collect Organic Waste.

4. With the exception of violations of Generator Contamination of container contents addressed under Section 8.08.940(D)(3), City shall issue a Notice of Violation requiring compliance within 60 days of issuance of the notice.
5. Absent compliance by the respondent within the deadline set forth in the Notice of Violation, City shall commence an Enforcement Action to impose penalties, via an administrative citation and fine. Notices of Violation shall be sent to "owner" at the official address of the owner maintained by the tax collector for the City or if no such address is available, to the owner at the address of the dwelling or Commercial property or to the party responsible for paying for the collection services, depending upon available information.

E. Penalty Amounts for Types of Violations. The penalty levels for City-issued Notices of Violation are as follows:

1. For a first violation, the amount of the base penalty shall be \$100 per violation.
2. For a second violation, the amount of the base penalty shall be \$200 per violation.
3. For a third or subsequent violation, the amount of the base penalty shall be \$500 per violation.

F. Compliance Deadline Extension Considerations. The City may extend the compliance deadlines set forth in a Notice of Violation issued in accordance with this Section 8.08.940 if it finds that there are extenuating circumstances beyond the control of the respondent that make compliance within the deadlines impracticable, including the following:

1. Acts of God such as earthquakes, wildfires, flooding, and other emergencies or natural disasters;
2. Delays in obtaining discretionary permits or other government agency approvals; or,
3. Deficiencies in Organic Waste recycling infrastructure or Edible Food Recovery capacity and the City is under a corrective action plan with CalRecycle pursuant to 14 CCR Section 18996.2 due to those deficiencies.

G. Appeals Process. Persons receiving an administrative citation containing a penalty for an uncorrected violation may request a hearing to appeal the citation pursuant to the appeal procedures in Sections 1.08.040 – 1.08.090.

H. Education Period for Non-Compliance. Beginning January 1, 2022 and through December 31, 2023, City will conduct Inspections, Route Reviews or waste evaluations, and Compliance Reviews, depending upon the type of regulated entity, to determine compliance with this Chapter, and if City determines that Organic Waste Generator, Self-Hauler, hauler, Tier One Commercial Edible Food Generator, Food Recovery Organization, Food Recovery Service, or other entity is not in compliance, it shall provide educational materials to the entity describing its obligations under this Chapter and a notice that compliance is required by January 1, 2022, and that violations may be subject to administrative civil penalties starting on January 1, 2024.

I. Civil Penalties for Non-Compliance. Beginning January 1, 2024, if the City determines that an Organic Waste Generator, Self-Hauler, hauler, Tier One or Tier Two Commercial Edible Food Generator, Food Recovery Organization, Food Recovery Service, or other entity is not in compliance with this Chapter, it shall document the noncompliance or violation, issue a Notice of Violation, and take Enforcement Action pursuant to this Section 8.08.940, as needed.

J. Enforcement Table – Non-exclusive List of Violations.
Table 1 below provides a non-exclusive list of violations of this Chapter which may subject an entity to an Enforcement Action pursuant to this Section 8.08.940.

Table 1. List of Violations

REQUIREMENT	DESCRIPTION OF VIOLATION
Commercial Business and Commercial Business Owner Responsibility Requirement Sections 8.08.940	Commercial Business fails to provide or arrange for Organic Waste collection services consistent with City requirements and as outlined in this Chapter, for employees, contractors, tenants, and customers, including supplying and allowing access to adequate numbers, size, and location of containers and sufficient signage and container color.
Organic Waste Generator Requirement Sections 8.08.930 and 8.08.840	Organic Waste Generator fails to comply with requirements adopted pursuant to this Chapter for the collection and Recovery of Organic Waste.
Hauler Requirement Section 8.08.880	A hauler providing Residential, Commercial or industrial Organic Waste collection service fails to transport Organic Waste to a facility, operation, activity, or property that recovers Organic Waste, as prescribed by this Chapter.

REQUIREMENT	DESCRIPTION OF VIOLATION
Hauler Requirement Section 8.08.880	A hauler providing residential, Commercial, or industrial Organic Waste collection service fails to obtain applicable approval issued by the City to haul Organic Waste as prescribed by this Chapter.
Hauler Requirement Section 8.08.880	A hauler fails to keep a record of the applicable documentation of its approval by the City, as prescribed by this Chapter.
Self-Hauler Requirement Section 8.08.890	A generator who is a Self-Hauler fails to comply with the requirements of 14 CCR Section 18988.3(b).
Commercial Edible Food Generator Requirement Section 8.08.860	Tier One Commercial Edible Food Generator fails to arrange to recover the maximum amount of its Edible Food that would otherwise be disposed by establishing a contract or written agreement with a Food Recovery Organization or Food Recovery Service and comply with this Section commencing Jan. 1, 2022.
Commercial Edible Food Generator Requirement Section 8.08.860	Tier Two Commercial Edible Food Generator fails to arrange to recover the maximum amount of its Edible Food that would otherwise be disposed by establishing a contract or written agreement with a Food Recovery Organization or Food Recovery Service and comply with this Section commencing Jan. 1, 2024.
Commercial Edible Food Generator Requirement Section 8.08.860	Tier One or Tier Two Commercial Edible Food Generator intentionally spoils Edible Food that is capable of being recovered by a Food Recovery Organization or Food Recovery Service.
Organic Waste Generator, Commercial Business Owner, Commercial Edible Food Generator, Food Recovery Organization or Food Recovery Service Sections 8.08.840 and 8.08.860	Failure to provide or arrange for access to an entity's premises for any Inspection or investigation.
Recordkeeping Requirements for Commercial Edible Food Generator Section 8.08.860.	Tier One or Tier Two Commercial Edible Food Generator fails to keep records, as prescribed by Section 8.08.860.
Recordkeeping Requirements for Food Recovery Services and Food Recovery Organizations Section 8.08.870	A Food Recovery Organization or Food Recovery Service that has established a contract or written agreement to collect or receive Edible Food directly from a Commercial Edible Food Generator pursuant to 14 CCR Section

REQUIREMENT	DESCRIPTION OF VIOLATION
	18991.3(b) fails to keep records, as prescribed by Section 8.08.870.

8.08.950 - Coordination and interpretation in conjunction with related solid waste ordinances.

In interpreting this Chapter in conjunction with the City's general Solid Waste regulations (Carpinteria Municipal Code Chapter 8.08), in the event of any conflict between this Chapter and Chapter 8.08 that cannot be reasonably harmonized through the application of lawful principles of statutory construction, the provisions of this Chapter shall control with respect to all issues specific to the regulation of organic and Food Waste collection, disposal, enforcement and penalties.

8.08.960 - Effective date.

This Chapter shall be effective commencing on February 1, 2022.



City of Carpinteria

COUNCIL AGENDA STAFF REPORT January 10, 2022

ITEM FOR COUNCIL CONSIDERATION

Adoption of the attached Resolution No. 6080, authorizing a change of signature on City bank accounts.

STAFF RECOMMENDATION

Adopt Resolution No. 6080, authorizing a change of signatures on City bank accounts.

Sample Motion: I move adoption of Resolution No. 6080, as read by title only.

BACKGROUND / DISCUSSION

Recent staff changes necessitate a corresponding change in the signature authorization on City bank accounts. All the names and positions are the same as prior with the exception of adding Michael P. Ramirez and Rod Baltazar.

POLICY CONSISTENCY

The City's approved signature authorities on City bank accounts were last reviewed and adopted per Resolution No. 6075, on October 11, 2021.

FINANCIAL CONSIDERATIONS

None

LEGAL

None

PRINCIPAL PARTIES EXPECTED AT MEETING

Unknown

ATTACHMENTS

A. Resolution No. 6080

Staff contact: Licette Maldonado,
Administrative Services Director
(805) 755-4448, licettem@ci.carpinteria.ca.us



Signature

Reviewed by: Dave Durlinger, City Manager
(805) 755-4400, daved@ci.carpinteria.ca.us



Signature

Attachment A

Resolution 6080

RESOLUTION NO. 6080

**A RESOLUTION OF THE CARPINTERIA CITY COUNCIL
AUTHORIZING SIGNERS ON BANK
ACCOUNTS FOR THE CITY OF CARPINTERIA
AND SUPERSEDING ALL PRIOR AUTHORIZATION**

WHEREAS, Michael P. Ramirez assumed Assistant City Manager effective December 6;
and

WHEREAS, Rod Baltazar assumed Senior Financial Analyst effective December 14;
and

WHEREAS, this change necessitates a corresponding change in the signature
authorities on City bank accounts; and

WHEREAS, all names and positions remain the same as previously with the exception
of adding Michael P. Ramirez and Rod Baltazar.

NOW, THEREFORE, BE IT RESOLVED that:

SECTION 1. The City Manager, Dave Durflinger, is hereby authorized and directed to
open and maintain such bank accounts in banks or savings institutions as he may deem
necessary and advisable for the conduct of the affairs of the City and any two of the following
persons, acting together, and consistent with all applicable City policies and procedures, are
authorized and empowered to execute checks and other items of indebtedness for and on behalf
of this City.

Dave Durflinger, City Manager
Licette Maldonado, Administrative Services Director
Laura Hernandez, Human Resources and Risk Manager
Michael P. Ramirez, Assistant City Manager
Rod Baltazar, Senior Financial Analyst

SECTION 2. This resolution authorizing singers on City bank accounts supersedes all
prior authorizations.

PASSED, APPROVED AND ADOPTED on January 10, 2022, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

Mayor, City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was adopted at a regular meeting of the City Council of the City of Carpinteria held on January 10, 2022.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria



City of Carpinteria

COUNCIL AGENDA STAFF REPORT January 10, 2022

ITEM FOR COUNCIL CONSIDERATION

Declaration of City-owned Property/Equipment as Surplus Assets.

STAFF RECOMMENDATION

Adopt Resolution No. 6087, declaring City-owned property/equipment as surplus assets and authorizing its disposal.

Sample Motion: I move to approve and adopt Resolution No. 6087, as read by title only, declaring City-owned property/equipment as surplus assets and authorizing its disposal.

BACKGROUND/DISCUSSION

Various items in the City's inventory of equipment reach an age or a state of disrepair or are otherwise no longer needed. The purpose of this agenda matter is to request that the City Council approve disposing of certain items no longer of use to the City as identified in the attached list.

POLICY CONSISTENCY

Carpinteria Municipal Code Section 3.32.050 authorizes the Administrative Services Director, as purchasing officer to supervise the exchange or trade-in of all supplies and equipment which have become unsuitable for City use for new supplies and equipment. Disposal of assets requires Council approval.

FINANCIAL CONSIDERATIONS

Any proceeds from the sale of these assets will be deposited into the General Fund.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

There are no legal or risk management considerations presented with this item.

OPTIONS

1. Adopt Resolution No. 6087, declaring City-owned property/equipment as surplus assets and authorizing their disposal. (Staff Recommendation)
2. The City Council could not authorize the disposal of surplus materials and direct staff as appropriate.

PRINCIPAL PARTIES EXPECTED AT MEETING

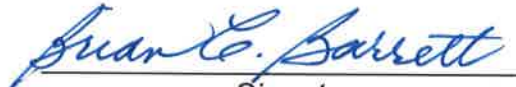
There are no principal parties expected at the meeting.

ATTACHMENTS

Attachment A: Resolution No. 6087
Attachment B: Property/Equipment Photographs

Staff contact:

Brian C. Barrett, Acting City Clerk
(805) 755-4446; brianb@ci.carpinteria.ca.us


Signature

Reviewed by:

Licette Maldonado,
Administrative Services Director
(805) 755-4448; licettem@ci.carpinteria.ca.us


Signature

Reviewed by: Dave Durlinger, City Manager
(805) 755-4400, daved@ci.carpinteria.ca.us


Signature

ATTACHMENT A
RESOLUTION NO. 6087

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RESOLUTION NO. 6087

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CARPINTERIA DECLARING CERTAIN EQUIPMENT AS
SURPLUS ASSETS**

WHEREAS, inventory of certain City-owned property/equipment as listed in Exhibit A to this Resolution are designated for surplus; and

WHEREAS, said City-owned property/equipment has been determined to have reached either a state of disrepair or otherwise is no longer perceived as suitable for future service; and

WHEREAS, Carpinteria Municipal Code Section 3.32.050 (Surplus supplies – Trade ins authorized) authorizes the City Manager, as purchasing officer, in part, to supervise the exchange or trade-in of all supplies and equipment that have become unsuitable for City use.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The City Council declares said City-owned property/equipment shown in the attached Exhibit A are declared surplus and are to be disposed of in the most economical way possible.

PASSED, APPROVED AND ADOPTED on January 10, 2022, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

Mayor, City of Carpinteria

ATTEST:

Acting City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was adopted at a regular meeting of the City Council of the City of Carpinteria held on January 10, 2022.

Acting City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria

Exhibit A to Resolution No. 6087

Quantity	Description	City ID #
1	Fire-Safe File Cabinet (4-Drawer)	0072
2	Metal Paper Holders/Sorters	2010
1	Large Electric Paper Shredder	1162
1	Metal File Cabinet (4-Drawer)	N/A
1	Large Black Lockable Metal Container for Network	N/A
1	Small Electric Paper Shredder	1471
1	Wooden Table	N/A
100+/-	Bike Racks	N/A
1	Coca Cola Refrigerator	N/A

Quantity	Description	Year	License Plate No.	Serial No.
1	Ford Ranger	1999	1027991	1FTPR10C3XPA70151

ATTACHMENT B
Property/Equipment Photographs

Quantity	Description	Year	License Plate No.	Serial No.
1	Ford Ranger	1999	1027991	1FTPR10C3XPA70151





City of Carpinteria

COUNCIL AGENDA STAFF REPORT January 10, 2022

ITEM FOR COUNCIL CONSIDERATION

Advance purchase of a prefabricated restroom building for installation at the future Carpinteria Skate Park located at City Hall, 5775 Carpinteria Avenue.

STAFF RECOMMENDATION

Authorize the City Manager to issue a purchase order for a restroom building for installation at the future Carpinteria Skate Park located at City Hall, 5775 Carpinteria Avenue.

Sample Motion: I move to authorize the City Manager to issue a purchase order to CXT Precast Concrete Products in the not-to-exceed amount of \$66,000.

This motion requires a roll call vote.

BACKGROUND

On June 1, 2020, the Planning Commission approved the Development Plan and Coastal Development Permit to construct a new 36,500 square foot public skate park on the easterly side of City Hall at 5775 Carpinteria Avenue. The Planning Commission approval included acceptance of the categorical exemption pursuant to Section 15332 of the California Environmental Quality Act (CEQA). The skate park plan approval includes 19,500 square feet of skateable area, 23 new parking spaces, a 7,690-square foot plaza/picnic area, a 250-square foot restroom building, 10,970 square feet of new landscaping/hardscape, and night lighting.

The purpose of this agenda matter is to seek City Council authorization to purchase the restroom building for the skatepark.

DISCUSSION

The skatepark project is currently open for public bidding, which is scheduled to close on January 27, 2022. The skate park plans include the installation of a prefabricated restroom building. Because the lead time to receive this product can be up to six

months, Staff recommends the building be ordered now to meet the timeline of the skate park project.

In addition, by ordering the building in January, the price will be 10% lower as the supplier has announced a price increase for orders received after January 31, 2022. The City has purchased prefabricated restroom buildings from the same manufacturer four previous times and finds them to be reliable and durable. They are also one of the most affordable public restroom solutions.

The City is a participating Sourcewell agency and utilizes their services in order to more cost effectively and efficiently procure supplies, materials and other products that have been competitively bid in advance. L. B. Foster Company, the parent company of CXT has been awarded a Sourcewell contract (#081721-CXT),

The City's Municipal Code allows for the City to utilize cooperative purchasing contracts (see CMC 3.32.210 - Cooperative purchasing), and, if the restroom purchase is authorized by the City Council, Staff intends to procure it through this source.

The purchase agreement includes the complete restroom building, delivery and placement onto a building pad. The City is required to provide the building pad and all the inground plumbing. In addition, the City is required to make the final electrical and plumbing connections before the building will be usable.

POLICY CONSIDERATIONS

Approval of the subject restroom purchase supports a parks and recreation capital project that has been found by the City Council and Planning Commission to be consistent with City General Plan policies that call for the City to develop new park and recreation facilities based on identified community needs.

Open Space, Recreation & Conservation Element

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

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.*

FINANCIAL CONSIDERATIONS

The purchase price for the restroom building is \$65,328. The cost is budgeted in the City's FY 21-22 Budget. The funding source is the Parks Improvement Fund. The purchase price is a small part of the overall skatepark project cost, estimated at \$1.1 to 1.4 million dollars.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

The proposed purchase, as described above, is consistent with City regulations and state law for public agency purchasing. The restroom facility is also a part of an improvement plan for the skatepark that was thoroughly vetted for risk management considerations during its development.

OPTIONS

1. Issue a purchase order for the purchase of the restroom structure as recommended by Staff
2. Direct staff as determined appropriate.

PRINCIPAL PARTIES EXPECTED AT MEETING

There are no principal parties expected at the meeting.

ATTACHMENT

CXT Cortez model precast restroom quote and ordering information.

Staff contact:
Matthew Roberts
Parks, Recreation and Public Facilities Director
(805) 755-4449
Matr@ci.carpinteria.ca.us



Signature

Reviewed by: Dave Durflinger, City Manager



Signature

Attachment 1

ORDERING INFORMATION



CXT® Precast Concrete Products manufactures restroom, shower and concession buildings in multiple designs, textures and colors. The roof and walls are fabricated with high strength precast concrete to meet all local building codes and textured to match local architectural details. All CXT buildings are designed to meet A.D.A. and to withstand heavy snow, high wind and category E seismic loads. All concrete construction also makes the buildings easy to maintain and withstand the rigors of vandalism. The buildings are prefabricated and delivered complete and ready-to-use, including plumbing and electrical where applicable. With thousands of satisfied customers nationwide, CXT is the leader in prefabricated concrete restrooms.

1. ORDERING ADDRESS(ES): CXT Precast Products, Inc., 606 N. Pines Road, Suite 202, Spokane Valley, WA 99206

2. ORDERING PROCEDURES: Fax 509-928-8270

3. PAYMENT ADDRESS(ES): CXT Precast Products, Inc., 6701 E. Flamingo Avenue, Building 300, Nampa, ID 83687

4. WARRANTY PROVISIONS: CXT provides a one (1) year warranty. The warranty is valid only when concrete is used within the specified loadings. Furthermore, said warranty includes only the related material necessary for the construction and fabrication of said concrete components. All other non-concrete components will carry a one (1) year warranty. CXT warrants that all goods sold pursuant hereto will, when delivered, conform to specifications set forth above. Goods shall be deemed accepted and meeting specifications unless notice identifying the nature of any non-conformity is provided to CXT in writing within the specified warranty. CXT, at its option, will repair or replace the goods or issue credit for the customer provided CXT is first given the opportunity to inspect such goods. It is specifically understood that CXT's obligation hereunder is for credit, repair or replacement only, F.O.B. CXT's manufacturing plants, and does not include shipping, handling, installation or other incidental or consequential costs unless otherwise agreed to in writing by CXT.

This warranty shall not apply to:

1. Any goods which have been repaired or altered without CXT's express written consent, in such a way as in the reasonable judgment of CXT, to adversely affect the stability or reliability thereof;
 2. To any goods which have been subject to misuse, negligence, acts of God or accidents; or
 3. To any goods which have not been installed to manufacturer's specifications and guidelines, improperly maintained, or used outside of the specifications for which such goods were designed.
5. TERMS AND CONDITIONS OF INSTALLATION (IF APPLICABLE): All prices subject to the "Conditions of Sale" listed on the CXT quotation form.

Customers are responsible for marking exact location building is to be set; providing clear and level site, free of overhead and/or underground obstructions; and providing site accessible to normal highway trucks and sufficient area for the crane to install and other equipment to perform the contract requirements. Customer shall provide notice in writing of low bridges, roadway width or grade, unimproved roads or any other possible obstacles to access. CXT reserves the right to charge the customer for additional costs incurred for special equipment required to perform delivery and installation. Customers will negotiate installation on a project-by-project basis, which shall be priced as separate line items. For more information regarding installation and truck turning radius guidelines please see our website at <http://www.cxtinc.com>.

In the event delivery of the building/s ordered is/are not completed within 30 days of the agreed to schedule through no fault of CXT, an invoice for the full contract value (excluding shipping and installation costs) will be submitted for payment. Delivery and installation charges will be invoiced at the time of delivery and installation.

Should the delivery and installation costs increase due to changes in the delivery period, this increase will be added to the price originally quoted, and will be subject to the contract payment terms.

In the event that the delivery is delayed more than 90 days after the agreed to schedule and through no fault of CXT, then in addition to the remedies above, a storage fee of 1-1/2% of contract price per month or any part of any month will be charged.

**Customer is responsible for all local permits and fees.

6. DELIVERY CHARGE: All prices F.O.B. origin prepaid and added to invoice. CXT operates three (3) manufacturing plants in the United States and will deliver from the closest location on our carriers.

7. PAYMENT TERMS: Payment to CXT by the purchaser shall be made net 30 days after submission of the invoice to the purchaser on approved credit. Interest at a rate equal to the lower of (i) the highest rate permitted by law; or (ii) 1.5% per month will be charged monthly on all unpaid invoices beginning with the 35th day (includes five (5) day grace period) from the date of the invoice. Under no circumstance can retention be taken. If CXT initiates legal proceeding to collect any unpaid amount, purchaser shall be liable for all of CXT's costs, expenses and attorneys' fees and costs of any appeal.

8. LIMITATION OF REMEDIES: In the event of any breach of any obligations hereunder; breach of any warranty regarding the goods, or any negligent act or omission of any party, the parties agree to submit all claims to binding arbitration. Any settlement reached shall include all reasonable costs including attorney fees. In no event shall CXT be subject to or liable for any incidental or consequential damages. Without limitation on the foregoing, in no event shall CXT be liable for damages in excess of the purchase price of the goods herein offered.

9. DELIVERY INFORMATION: All prices F.O.B. origin prepaid and added to invoice. CXT operates three (3) manufacturing plants in the United States and will deliver from the closest location on our carriers. Use the information below to determine the origin:

• F.O.B. 6701 E. Flamingo Avenue, Building 300, Nampa, ID 83687 applies to: AK, CA, HI, ID, MT, ND, NV, OR, SD, UT, WA, WY.

• F.O.B. 901 North Highway 77, Hillsboro, TX 76645 applies to AR, AZ, CO, IA, KS, LA, MN, MO, MS, NE, NM, OK, TX.

• F.O.B. 362 Waverly Road, Williamstown, WV 26183 applies to AL, CT, DE, FL, GA, IL, IN, KY, MA, MD, ME, MI, NC, NH, NJ, NY, OH, PA, PR, RI, SC, TN, VA, VT, WI, WV.

• Prices exclude all federal/state/local taxes. Tax will be charged where applicable if customer is unable to provide proof of exemption.

Skate Park Restroom Purchase Order

January 10, 2022

Page #5




Cortez

Cortez with chase restroom building. Standard features include simulated barnwood texture walls, simulated cedar shake textured roof, vitreous china fixtures, interior and exterior lights, off loaded and set up at site.

Cortez 10' 3" x 17' * Base Price \$ 45,028.00

Optional Sections:			
Restroom* \$45,028	Qty:	= \$0.00	Shower* \$54,951 Qty: = \$0.00
Family Assist Shower/Restroom Combo* \$52,966	Qty:	= \$0.00	Storage \$41,552 Qty: = \$0.00
Concession* \$51,974	Qty:	= \$0.00	
*Includes 4-gallon water heater.			Total Optional Sections 0.00

Added Cost Options:		Price Per Unit	
Final Connection to Utilities		\$ 3,500.00	☐ 0.00
(per section) Optional Wall Texture -choose one	☐ Split Face Block (\$3,500) ☐ Struck Trowel (\$3,500) ☐ Stone (\$5,000) ☐ Reset Wall Texture		0.00
Optional Roof Texture -choose one	☐ Delta Rib	\$ 3,000.00	0.00
Insulation / Heaters (per section)		\$ 16,500.00	☐ 0.00
Stainless Steel Water Closet (each)	Qty:	\$ 950.00	☐ 0.00
Stainless Steel Lavatory (each)	Qty:	\$ 600.00	☐ 0.00
Electric Hand Dryer (each)	Qty:	\$ 700.00	☐ 0.00
Electronic Flush Valves (each)	Qty:	\$ 750.00	☐ 0.00
Electronic Lavatory Faucets (each)	Qty:	\$ 650.00	☐ 0.00
Exterior Mounted ADA Drinking Fountain (each)	Qty:	\$ 3,600.00	☐ 0.00
Optional Door Closure (each)	Qty: 2	\$ 450.00	☐ 0.00
Skylight In Restroom (each)	Qty:	\$ 450.00	☐ 0.00
Marine Grade Skylight In Restroom (each)	Qty:	\$ 1,600.00	☐ 0.00
Marine Package for Extra Corrosion Resistance (per section)		\$ 3,450.00	☐ 0.00
Fiberglass Entry and Chase Doors and Frames	Qty:	\$ 1,700.00	☐ 0.00
Tile Floor In Restroom (per section)		\$ 3,000.00	☐ 0.00
2K Anti-Graffiti Coating (per section)		\$ 3,500.00	☐ 0.00
Timed Electric Lock System (2 doors - does not include chase door)	Qty:	\$ 2,500.00	☐ 0.00
Exterior Frostproof Hose Bib with Box (each)	Qty:	\$ 450.00	☐ 0.00
Paper Towel Dispenser (each)	Qty:	\$ 200.00	☐ 0.00
Toilet Seat Cover Dispenser (each)	Qty:	\$ 100.00	☐ 0.00
Sanitary Napkin Disposal (each)	Qty:	\$ 75.00	☐ 0.00
Baby Changing Station (each)	Qty:	\$ 500.00	☐ 0.00
CXT Wastebasket (each)	Qty:	\$ 150.00	☐ 0.00
Stamped Plans		\$ 2,000.00	☒ 2,000.00

Total Cost of Selected Accessories from Accessories Price List: \$ 2,000.00

Estimated One-Way Transportation Costs to Site (quote): \$ 9,000.00

Custom Options: CA approvals \$900, DIR adjustments \$1000, CA 8 hr crane min \$2000 \$ 3,900.00

Non-taxable Items (i.e., freight, installation, etc.): \$

Tax: \$ 5,400.00

Total Cost per Unit Placed at Job Site: \$ 65,328.00

Estimated monthly payment on 5 year lease \$1,313.09

Disclaimer: Please call to confirm selected sections are compatible.

This price quote is good for 60 days from date below, and is accurate and complete.

CXT Sales Representative

Date



I accept this quote. Please process this order.

Company Name

Customer

Date

OPTIONS

Exterior Color Options:

(For single color mark an X or for two tone combinations use W = Walls / R = Roof.)

☐ Amber Rose	☐ Liberty Tan	☐ Berry Mauve	☐ Sage Green
☐ Toasted Almond	☐ Oatmeal Buff	☐ Buckskin	☐ Rosewood
☐ Sun Bronze	☐ Golden Beige	☐ Mocha Carmel	☐ Malibu Taupe
☐ Sand Beige	☐ Natural Honey	☐ Salsa Red	☐ Java Brown
☐ Pueblo Gold	☐ Cappuccino Cream	☐ Coca Milk	☐ Raven Black
☐ Granite Rock	☐ Georgia Brick	☐ Western Wheat	☐ Nuss Brown
☐ Rich Earth	☐ Charcoal Grey	☐ Hunter Green	☐ Evergreen
Special roof color # _____			
Special wall color # _____			
Special trim color # _____			

(Sage green, hunter and evergreen colors are not available in colored through concrete.)

Rock Color Options:

☐ Basalt	☐ Mountain Blend	☐ Natural Grey	☐ Romana
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Roof Texture Options:

☐ Cedar Shake	☐ Ribbed Metal
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Wall Texture Options:

(For single texture mark an X or for different top and bottom textures use T = Top / B = Bottom.)

Barnwood	Horizontal Lap	Napa Valley Rock	} Can only be used as bottom texture.
Split Face Block	Board & Batt	River Rock	
Stucco/Skip Trowel	Brick	Flagstone	

(Textures not included in CXT's quote are additional cost.)

Door Opener Options:

☐ Non-locking ADA Handle	☐ Pull Handle/Push Plate
☐ Privacy ADA Latch	

Deadbolt Options:

☐ CXT Supplied	☐ Customer Supplied: _____
	Type & Part Number

Accessible Signage Options:

☐ Men	☐ Women	☐ Unisex
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Paper Holder Options:

☐ 2-Roll Stainless Steel	☐ 3-Roll Stainless Steel
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Notes:



CXT® flush restrooms are engineered and designed for long life in extreme conditions.

- Built to Look Great and Designed to Last
- Simple to Install and Ready to Use
- Easy to Maintain and Vandal Resistant
- Pre-Engineered
- Tougher Than Kits, Block or Steel



FLUSH RESTROOMS

UTILITIES

- Pre-wired, pre-plumbed and tested before shipping to meet local code requirements.
- Concealed within the chase/storage area for easy hook up and maintenance, and to reduce vandalism.

HOOK UP AND INSTALLATION

- Minimal site work is required.
- Water, sewage and electrical utility lines are stubbed up through the prepared base material to match up with the utility blockout within the floor of the chase area.
- Hookup of the three utility lines can be completed in a matter of hours.



- Meets UFAS, ADA and California Title 24 requirements
- Vandal resistant building and toilet components
- 4" thick steel reinforced concrete walls
- 5" thick steel reinforced concrete roof and floors
- Quick installation and hookup at the job site
- Will not rot, rust or burn
- Easily cleaned with a brush and warm soapy water
- Available in 28 different colors
- Custom textures and colors also available



www.cxtinc.com
800.696.5766

SINGLE USER FLUSH RESTROOMS

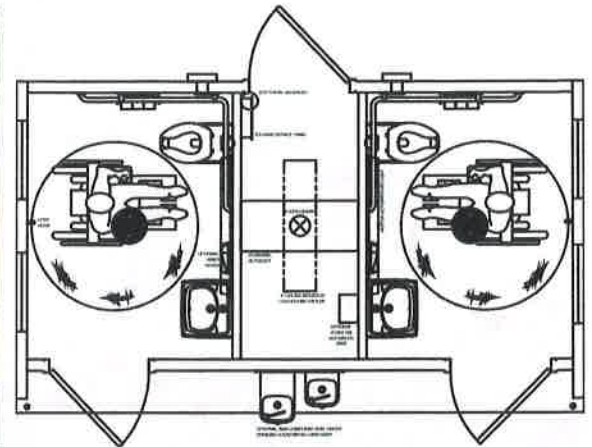
All drawings are typical floor plans with options shown and are for reference only.

Cortez

2 single user restrooms
2 ADA toilets | 2 sinks

Shown:

- » Mocha Caramel Barnwood walls and Cedar Shake roof
- » Optional drinking fountain with grab bars

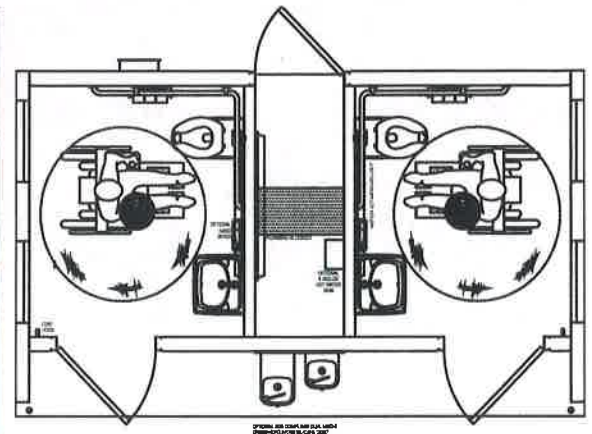


Denali

2 single user restrooms
2 ADA toilets | 2 sinks

Shown:

- » Amber Rose Board & Batt upper walls
- » Mountain Blend Flagstone rock lower walls
- » Granite Rock Cedar Shake roof
- » Optional drinking fountain

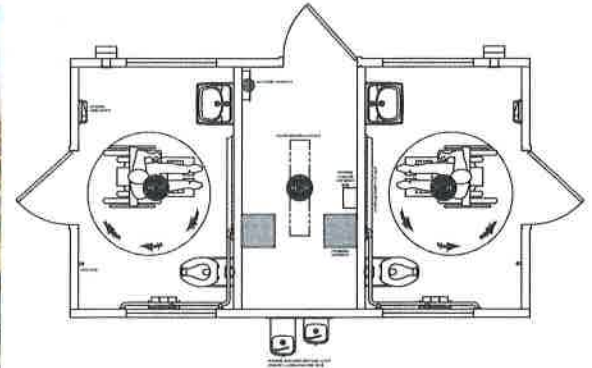


Ozark II

2 single user restrooms
2 ADA toilets | 2 sinks

Shown:

- » Western Wheat Horizontal Lap upper walls
- » Mountain Blend Napa Valley rock lower walls
- » Pueblo Gold Cedar Shake roof

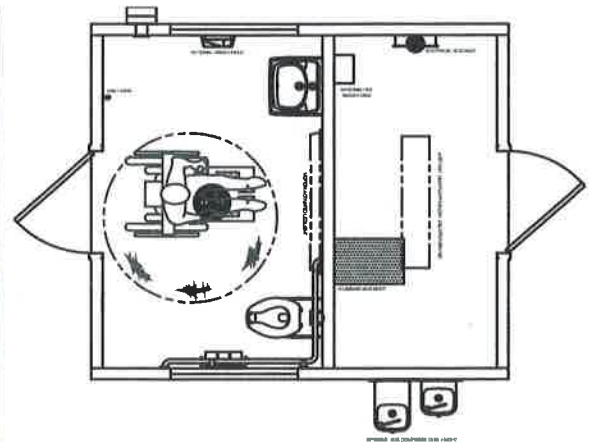


Ozark I

1 single user restroom
1 ADA toilet | 1 sink

Shown:

- » Granite Rock Split Face Block walls
- » Western Wheat Cedar Shake roof
- » Optional drinking fountain with grab bars



MULTI USER FLUSH RESTROOMS

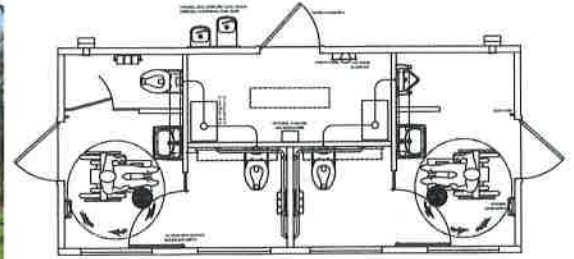
All drawings are typical floor plans with options shown and are for reference only.

Kodiak

2 multi-user restrooms
3 toilets (2 ADA) 1 urinal
2 sinks

Shown:

- » Sand Beige and Granite Rock Split Face Block walls
- » Granite Rock Cedar Shake roof

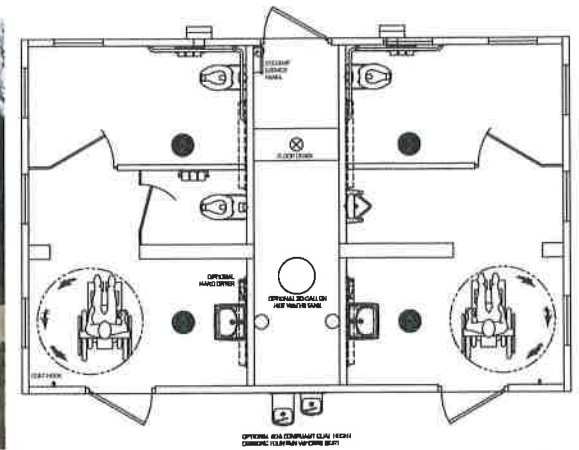


Montrose

2 multi-user restrooms
3 toilets (2 ADA) 1 urinal
2 sinks

Shown:

- » Natural Honey Horizontal Lap upper walls
- » Napa Valley Flagstone lower walls
- » Sand Beige Cedar Shake roof
- » Optional drinking fountain
- » Optional privacy screen

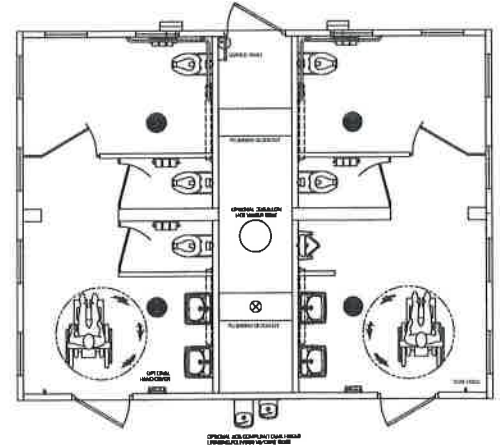


Taos

2 multi-user restrooms
5 toilets (2 ADA) 1 urinal
4 sinks

Shown:

- » Buckskin Split Face Block walls
- » Granite Rock Cedar Shake roof
- » Optional drinking fountain

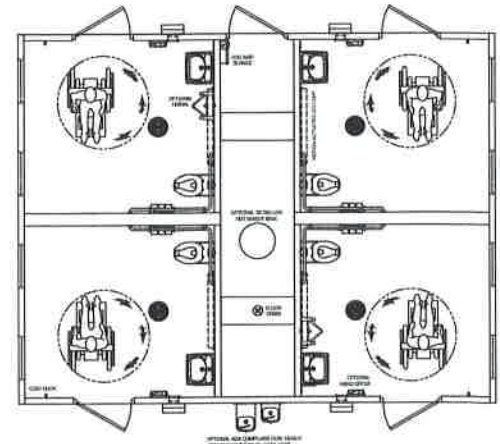


Arapahoe

4 family assist restrooms
4 ADA toilets | 4 sinks

Shown:

- » Charcoal Gray Barnwood walls
- » Golden Beige Cedar Shake roof



CUSTOM BUILDINGS

CXT can customize colors, textures and other options like privacy walls, porches, shade shelters, and awnings to match the aesthetics of your project. Other rooms such as laundry, changing rooms, storage rooms and locker rooms can be added to enhance the amenities at your location.



Flush restroom with custom simulated wood texture and awning



Flush restroom with custom awning



Flush restroom with custom golf cart shelter



Flush restroom with custom texture and roof pitch

ENGINEERED TO WITHSTAND SNOW, WIND,
WATER AND ZONE-4 SEISMIC LOADS



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Precast Roof Slab

**#3 Reinforcing
Perimeter Bar**

**4x4xW8xW8 Welded
Wire Fabric**

**3/8" Studded Steel
Weld Plates**

5000 PSI Concrete

**Precast Exterior
Wall Panel**

Precast Floor Slab





City of Carpinteria

COUNCIL AGENDA STAFF REPORT January 10, 2022

ITEM FOR COUNCIL CONSIDERATION

Resolution No. 6086, Authorizing the Execution of a Freeway Maintenance Agreement with the State of California Department of Transportation for the Highway 101 Carpinteria to Santa Barbara Project- Phase 4A.

STAFF RECOMMENDATION

Adopt Resolution No. 6086, authorizing the execution of a Freeway Maintenance Agreement with the State of California Department of Transportation for the Highway 101 Carpinteria to Santa Barbara Project- Phase 4A.

Sample Motion: I move to approve and adopt Resolution No. 6086, authorizing the execution of a Freeway Maintenance Agreement with the State of California Department of Transportation for the Highway 101 Carpinteria to Santa Barbara Project- Phase 4A.
(Requires a roll call vote.)

BACKGROUND

The Highway 101 Carpinteria to Santa Barbara Project- Phase 4A generally consists of constructing High Occupancy Vehicle lanes on Highway 101 for 3.2-miles between Carpinteria and Santa Barbara. The project objectives are to improve access and operations; improve operations on Highway 101; reduce the use of Highway 101 for local trips; improve public transportation accessibility; improve local vehicular, bicycle and pedestrian circulation; and reduce emergency response times. On April 1, 2019, the Planning Commission accepted the Final Environmental Impact Report/Environmental Assessment and approved the project under City Project No. 18-1920-CUP/CDP with conditions of approval.

As a statutory requirement of ownership and operation of planned traffic and circulation features for the freeway, an agreement between the City and the California Department of Transportation (Caltrans) must be established. Specifically, California Streets and Highways Code (SHC) Sections 100.2, 100.21, 100.22 and 100.25 provide the statutory direction for execution of freeway or controlled access highway agreements when

planned traffic circulation at or near a freeway or expressway will be modified including modification to city streets or county roads. Caltrans proposed the Freeway Maintenance Agreement as shown in Exhibit A of Resolution No. 6086 (Attachment A).

On September 10, 2021, the Freeway Maintenance Agreement was presented to the Public Facility Site Acquisition/Development Committee (Council Members Carty and Nomura).

The purpose of this agenda matter is to allow for the City Council to consider and adopt Resolution No. 6086, authorizing the execution of the Freeway Maintenance Agreement with Caltrans for the Highway 101 Carpinteria to Santa Barbara Project- Phase 4A.

DISCUSSION

The Freeway Maintenance Agreement essentially proposes to assign maintenance responsibilities for the project improvements. In particular, improvements proposed to be assigned to the City involve Santa Ynez Avenue Overpass and immediately adjacent areas. Santa Ynez Avenue Overpass is a part of the City's public right-of-way. The following list summarizes the improvements that are proposed for the City's maintenance responsibilities:

1. Santa Ynez Avenue Overpass bridge deck wearing surface, sidewalks, and traffic control devices.
2. Debris removal and cleaning for areas immediately adjacent to Santa Ynez Avenue Overpass.
3. Landscape maintenance for areas immediately adjacent to Santa Ynez Avenue Overpass.

Access to the Santa Ynez Avenue Overpass bridge deck is within the City's public right-of-way and the adjacent areas of the Santa Ynez Avenue Overpass are within Caltrans right-of-way. In accordance with the Freeway Maintenance Agreement, Caltrans will authorize the City to access these areas for maintenance purposes through a Caltrans Encroachment Permit at no cost to the City.

The proposed Freeway Maintenance Agreement will not replace or supersede other existing agreements between Caltrans and the City including the Freeway Maintenance Agreement of March 21, 2016, for the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Project and the Freeway Maintenance Agreement of August 9, 1966, for the Bailard Avenue Overpass. The City's maintenance obligation will begin immediately after the full execution of the Freeway Maintenance Agreement by the City and Caltrans.

POLICY CONSISTENCY

The Freeway Maintenance Agreement was prepared in response to and in accordance with SHC Sections 100.2, 100.21, 100.22 and 100.25, and is consistent with the City's interest in proper maintenance of public transportation facilities within City limits.

FINANCIAL CONSIDERATIONS/FISCAL IMPACT

There are financial impacts to the City related to the maintenance obligations that are a part of the Freeway Maintenance Agreement. The estimated annual maintenance expense is \$5,000. A budget will be programmed in the ensuing fiscal year for this anticipated street maintenance/right-of-way expense by the Freeway Maintenance Agreement. Funds from Gas Tax, Local Transportation Fund, and/or Measure A are eligible to be used for street maintenance/right-of-way expenses. The current Fiscal Year 2021/22 Budget accounts for street maintenance/right-of-way expenses in the other existing freeway maintenance agreements.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

The City Attorney's Office and the City's insurance carrier, California Joint Powers Insurance Authority, reviewed the Freeway Maintenance Agreement and finds no further exceptions. Once executed, the Freeway Maintenance Agreement may be updated as necessary at the request of either the City or Caltrans.

OPTIONS

1. Adopt Resolution No. 6086, authorizing the execution of a Freeway Maintenance Agreement with Caltrans for the Highway 101 Carpinteria to Santa Barbara Project- Phase 4A. (Staff recommendation)
2. The City Council could choose to not approve the recommendation and direct staff as determined appropriate.

PRINCIPAL PARTIES EXPECTED AT MEETING

There are no principal parties expected at the meeting.

ATTACHMENTS

Attachment A: Resolution No. 6086

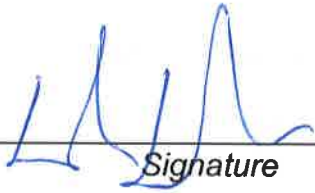
Staff contact:

John L. Ilasin P.E., Public Works Director
(805) 684-5405, johni@ci.carpinteria.ca.us



Signature

Reviewed by:
Dave Durflinger, City Manager
(805) 755-4400, daved@ci.carpinteria.ca.us



Signature

ATTACHMENT A

Resolution No. 6086

RESOLUTION NO. 6086

A RESOLUTION OF THE CITY OF CARPINTERIA CITY COUNCIL AUTHORIZING THE EXECUTION OF THE FREEWAY MAINTENANCE AGREEMENT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE HIGHWAY 101 CARPINTERIA TO SANTA BARBARA PROJECT- PHASE 4A

WHEREAS, the State of California Department of Transportation, hereinafter referred to as Caltrans, is the lead agency for the Highway 101 Carpinteria to Santa Barbara Project- Phase 4A; and

WHEREAS, the Highway 101 Carpinteria to Santa Barbara Project- Phase 4A generally consists of constructing High Occupancy Vehicle lanes on Highway 101 for 3.2-miles between Carpinteria and Santa Barbara; and

WHEREAS, during the course of delivering and completing the Highway 101 Carpinteria to Santa Barbara Project- Phase 4A, Caltrans and the City of Carpinteria may enter into agreements when necessary, including, but not limited to, a freeway agreement, cooperative agreement, freeway maintenance agreement, and property exchange agreement; and

WHEREAS, as the need for additional agreements to provide for specific elements of the Highway 101 Carpinteria to Santa Barbara Project- Phase 4A becomes apparent, such additional agreements will be provided by Caltrans to the City for consideration; and

WHEREAS, Caltrans must apply for and receive City permits including, but not limited to, conditional use and coastal development permits through the City's development review process; and

WHEREAS, no city street may be closed, either directly or indirectly, by the construction of a freeway except pursuant to a freeway agreement entered into between Caltrans and the city pursuant to California Streets and Highways Code Section 100.2; and

WHEREAS, California Streets and Highways Code Section 100.21 subdivision (a), requires Caltrans to first execute a freeway agreement with a city before acquiring any real property for a freeway through a city; and

WHEREAS, on February 13, 2013, the Freeway Agreement was executed between the City and Caltrans, wherein the City and Caltrans consented to certain adjustments of the local street and road system required for the development of that portion of Highway 101 within the jurisdictional limits of the City as a freeway; and

WHEREAS, recent adjustments to Highway 101, in particular, the Santa Ynez Bridge has now been completed, or are nearing completion, and the City and Caltrans hereto mutually desire to identify the maintenance responsibilities for improvements to separation structures and landscaped areas lying within those modified freeway limits; and

WHEREAS, pursuant to Section 7 of said Freeway Agreement, the City has resumed or will resume control and maintenance over each of the affected relocated or reconstructed City streets except for those portions adopted as a part of the freeway proper; and

WHEREAS, the proposed Freeway Maintenance Agreement will not replace or supersede other existing freeway agreements with Caltrans including the Freeway Maintenance Agreement of March 21, 2016, for the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Project and the Freeway Maintenance Agreement of August 9, 1966, for the Bailard Avenue Overcrossing.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The above recitals are true and correct.

SECTION 2. The Carpinteria City Council authorizes the execution of the Freeway Agreement, attached herein in Exhibit A, by the Mayor on behalf of the City.

PASSED, APPROVED AND ADOPTED on the 10th day of January, 2022, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

ATTEST:

Mayor, City of Carpinteria

Acting City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was adopted at a regular meeting of the City Council of the City of Carpinteria held on January 10, 2022.

Acting City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria

EXHIBIT A

**FREEWAY MAINTENANCE
AGREEMENT
WITH
CITY OF CARPINTERIA**

THIS AGREEMENT is made effective this _____ day of _____, 20__, by and between the State of California, acting by and through the Department of Transportation, hereinafter referred to as "STATE," and the City of Carpinteria, hereinafter referred to as "CITY," and collectively referred to as "PARTIES".

SECTION I

RECITALS

1. WHEREAS, on February 13, 2013, a Freeway Agreement was executed between CITY and STATE, wherein the PARTIES consented to certain adjustments of the local street and road system required for the development of that portion of STATE Highway Route (SR) 101 within the jurisdictional limits of the CITY as a freeway; and,
2. WHEREAS, recent adjustments to said freeway -in particular, the Santa Ynez Bridge- have now been completed, or are nearing completion, and the PARTIES hereto mutually desire to identify the maintenance responsibilities for improvements to separation structures and landscaped areas lying within those modified freeway limits; and,
3. WHEREAS, the degree or extent of maintenance work to be performed, and the standards therefore, shall be in accordance with the provisions of Section 27 of the Streets and Highways Code and the then current edition of the State Maintenance Manual; and,
4. WHEREAS, pursuant to Section 7 of the above February 13, 2013 Freeway Agreement, CITY has resumed or will resume control and maintenance over each of the affected relocated or reconstructed CITY streets, except for those portions adopted as a part of the freeway proper; and,
5. WHEREAS, there are existing Freeway Maintenance Agreements, with CITY dated March 21, 2016 (Linden & Casitas Pass FMA) and August 9, 1966 (Bailard Avenue Overcrossing FMA). This Agreement is not meant to replace or supersede the earlier agreements.

NOW THEREFORE IT IS AGREED:

SECTION II

AGREEMENT

1. CITY agrees to continue their control and maintenance of each of the affected relocated or reconstructed CITY streets and roads as shown on that plan map attached hereto, marked Exhibit A, and made a part hereof by this reference.

2. If there is mutual agreement on the change in the maintenance duties between PARTIES, the PARTIES can revise Exhibit A by a mutual written execution of a new Exhibit A as described in Section 3, below.
3. When another planned future improvement has been constructed and/or a minor revision has been effected within the limits of the freeway herein described which will affect the PARTIES' division of maintenance responsibility as described herein, STATE will provide a new dated and revised Exhibit A which will thereafter supersede the attached original Exhibit A and become part of this Agreement.
4. CITY and STATE agree to accept their then respective operational and maintenance responsibilities and related associated costs thereof in the event jurisdictional boundaries of the PARTIES should change and Exhibit A is amended to reflect those changes.
5. CITY must obtain the necessary Encroachment Permits from STATE's District 5 Encroachment Permit Office prior to entering STATE right of way to perform CITY maintenance responsibilities. This permit will be issued at no cost to CITY.
6. VEHICULAR AND PEDESTRIAN OVERCROSSINGS
 - 6.1. STATE will maintain, at STATE expense, the entire structure of any STATE constructed vehicular and pedestrian overcrossings of SR 101 below the deck wearing surface and any wearing surface treatment thereon.
 - 6.2. CITY will maintain, at CITY expense, the deck wearing surface (and shall perform such work as may be necessary to ensure an impervious and/or otherwise suitable surface) and all portions of the structure above the bridge deck, including, but without limitation, all traffic service facilities (sidewalks, signs, pavement markings, bridge rails, etc.) that may be required for the benefit or control of traffic using that overcrossing.
 - 6.3. As directed by section 92.6 of the Streets and Highways Code, at locations determined by STATE, screening shall be placed on STATE freeway overpasses on which pedestrians are allowed. All screens installed under this program will be maintained by STATE, at STATE expense.
7. WALLS SOUNDWALLS AND COLUMNS – CITY is responsible for debris removal, cleaning, and painting to keep CITY's side of any wall structure, soundwall, or column free of debris, dirt, and graffiti.
8. LANDSCAPED AREAS - CITY is responsible for the maintenance of any plantings or other types of roadside landscaping , including but not limited to irrigation equipment, lying outside of the fenced STATE right of way area reserved for exclusively for freeway.
9. INTERCHANGE OPERATION - It is STATE's responsibility to provide efficient operation of freeway interchanges including ramp connections to local streets and roads.

10. ELECTRICALLY OPERATED TRAFFIC CONTROL DEVICES

10.1. A separate "Shared Cost Electrical Agreement" will be executed in the future allocating costs between the PARTIES.

11. LEGAL RELATIONS AND RESPONSIBILITIES

11.1. Nothing within the provisions of this Agreement is intended to create duties or obligations to or rights in third parties not PARTIES to this Agreement or to affect the legal liability of a PARTY to the Agreement by imposing any standard of care with respect to the operation and maintenance of STATE highways and local facilities different from the standard of care imposed by law.

11.2. Neither CITY nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by STATE, under or in connection with any work, authority or jurisdiction conferred upon STATE arising under this Agreement. It is understood and agreed that STATE shall fully defend, indemnify and save harmless CITY and all of their officers and employees from all claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortious, contractual, inverse condemnation and other theories or assertions of liability occurring by reason of anything done or omitted to be done by STATE under this Agreement.

11.3. Neither STATE nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction conferred upon CITY arising under this Agreement. It is understood and agreed that CITY shall fully defend, indemnify and save harmless STATE and all of its officers and employees from all claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortious, contractual, inverse condemnation or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CITY under this Agreement.

12. PREVAILING WAGES:

12.1. Labor Code Compliance- If the work performed under this Agreement is done under contract and falls within the Labor Code section 1720(a)(1) definition of a "public works" in that it is construction, alteration, demolition, installation, or repair; or maintenance work under Labor Code section 1771, CITY must conform to the provisions of Labor Code sections 1720 through 1815, and all applicable provisions of California Code of Regulations found in Title 8, Chapter 8, Subchapter 3, Articles 1-7. CITY agrees to include prevailing wage requirements in its contracts for public works. Work performed by CITY own forces is exempt from the Labor Code's Prevailing Wage requirements.

12.2. Requirements in Subcontracts - CITY shall require its contractor(s) to include prevailing wage requirements in all subcontracts funded by this Agreement when the work to be performed by the subcontractor is a "public works" as defined in Labor Code Section

1720(a)(1) and Labor Code Section 1771. Subcontracts shall include all prevailing wage requirements set forth in CITY contracts.

13. INSURANCE

13.1. SELF-INSURED - CITY is self-insured. CITY agrees to deliver evidence of self-insured coverage providing general liability insurance, coverage of bodily injury liability and property damage liability, naming STATE, its officers, agents and employees as the additional insured in an amount of \$1 million per occurrence and \$2 million in aggregate and \$5 million in excess. Coverage shall be evidenced by a certification of self-insurance letter ("Letter of Self-Insurance"), satisfactory to STATE, certifying that CITY meets the coverage requirements of this section. This Letter of Self-Insurance shall also identify the project location as depicted in EXHIBIT A. CITY shall deliver to STATE the Letter of Self-Insurance with a signed copy of this AGREEMENT. A copy of the executed Letter of Self-Insurance shall be attached hereto and incorporated as Exhibit B.

13.2. SELF-INSURED using Contractor - If the work performed under this AGREEMENT is done by CITY 's contractor(s), CITY shall require its contractor(s) to maintain in force, during the term of this AGREEMENT, a policy of general liability insurance, including coverage of bodily injury liability and property damage liability, naming STATE, its officers, agents and employees as the additional insured in an amount of \$1 million per occurrence and \$2 million in aggregate and \$5 million in excess. Coverage shall be evidenced by a certificate of insurance in a form satisfactory to the STATE that shall be delivered to the STATE with a signed copy of this Agreement.

14. TERMINATION - This Agreement may be terminated by timely mutual written consent by PARTIES, and CITY failure to comply with the provisions of this Agreement may be grounds for a Notice of Termination by STATE.

15. TERM OF AGREEMENT - This Agreement shall become effective on the date first shown on its face sheet and shall remain in full force and effect until amended or terminated at any time upon mutual consent of PARTIES or until terminated by STATE for cause.

16. ACCEPTANCE OF COUNTERPARTS - This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

17. AMENDMENTS - No alteration or variation of the terms of this Agreement shall be valid unless made by a formal written amendment executed by the PARTIES hereto and no oral understanding or agreement not incorporated herein shall be binding on any of the PARTIES hereto.

18. AUTHORITY – PARTIES are empowered by Streets and Highways Code Sections 114 and 130 to enter into this Agreement and have delegated to the undersigned the authority to execute this Agreement on behalf of the respective agencies and covenants to have followed all the necessary legal requirements to validly execute this Agreement.

IN WITNESS WHEREOF, PARTIES hereto have set their hands and seals the day and year first above written.

CITY OF CARPINTERIA

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

By: _____
Wade T. Nomura, Mayor

TOKS OMISHAKIN
Director of Transportation

Approved as to Content:

By: _____
David Durflinger, City Manager

By: _____
SARA VON SCHWIND
Deputy District Director
Maintenance & Operations
District 5

ATTEST:

By: _____
Brian C. Barrett, Acting City Clerk

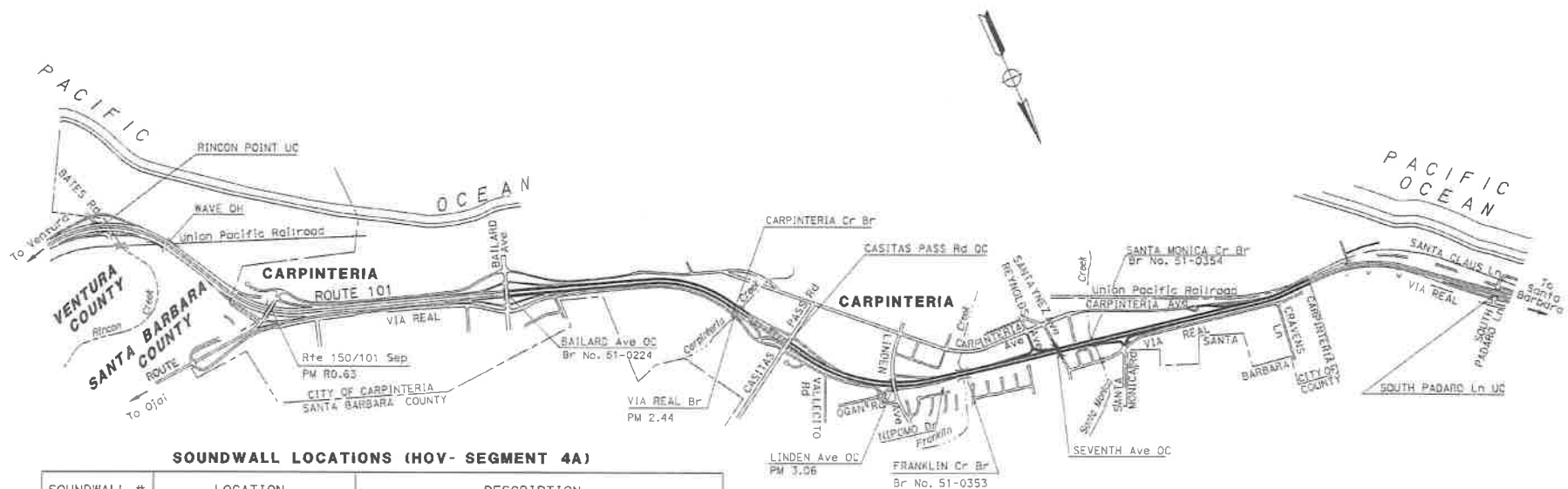
As to Form and Procedure:

By: _____
Jena Shoaf Acos, on behalf of
Brownstein Hyatt Farber Schreck, LLP
acting as City Attorney of the City of
Carpinteria

EXHIBIT "A"

(Plan map identifying the applicable STATE Routes (Freeway proper) and CITY road(s) and facilities)

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
05	SB	101	1.4/4.6		



SOUNDWALL LOCATIONS (HOV- SEGMENT 4A)

SOUNDWALL #	LOCATION	DESCRIPTION
1	PM 2.07 TO PM 2.39	NB RT ALONG VIA REAL VIA REAL
2	PM 3.31 TO PM 3.33	NB RT NEAR FRANKLIN CREEK BRIDGE
3	PM 3.32 TO PM 3.66	NB RT FRANKLIN CREEK TO SANTA YNEZ AVE
4	PM 3.67 TO PM 3.79	NB RT SANTA YNEZ AVE TO SANTA MONICA CR
5	PM 3.80 TO PM 3.81	JUST NORTH OF SANTA MONICA CR
6	PM 3.80 TO PM 3.83	JUST NORTH OF SANTA MONICA CR
7	PM 3.68 TO PM 3.77	SB LT SANTA YNEZ AVE TO SANTA MONICA CR
8	PM 3.76 TO PM 3.80	SB LT AT SANTA MONICA CR
9	PM 3.78 TO PM 4.08	SB LT SANTA MONICA CR GOING NORTH
10	PM 4.30 TO PM 4.38	NB RT SOUTH OF CRAVENS LANE
11	PM 4.31 TO PM 4.39	NB RT SOUTH OF CRAVENS LANE
12	PM 4.45 TO PM 4.60	NB RT SOUTH OF CRAVENS LANE

NO SCALE

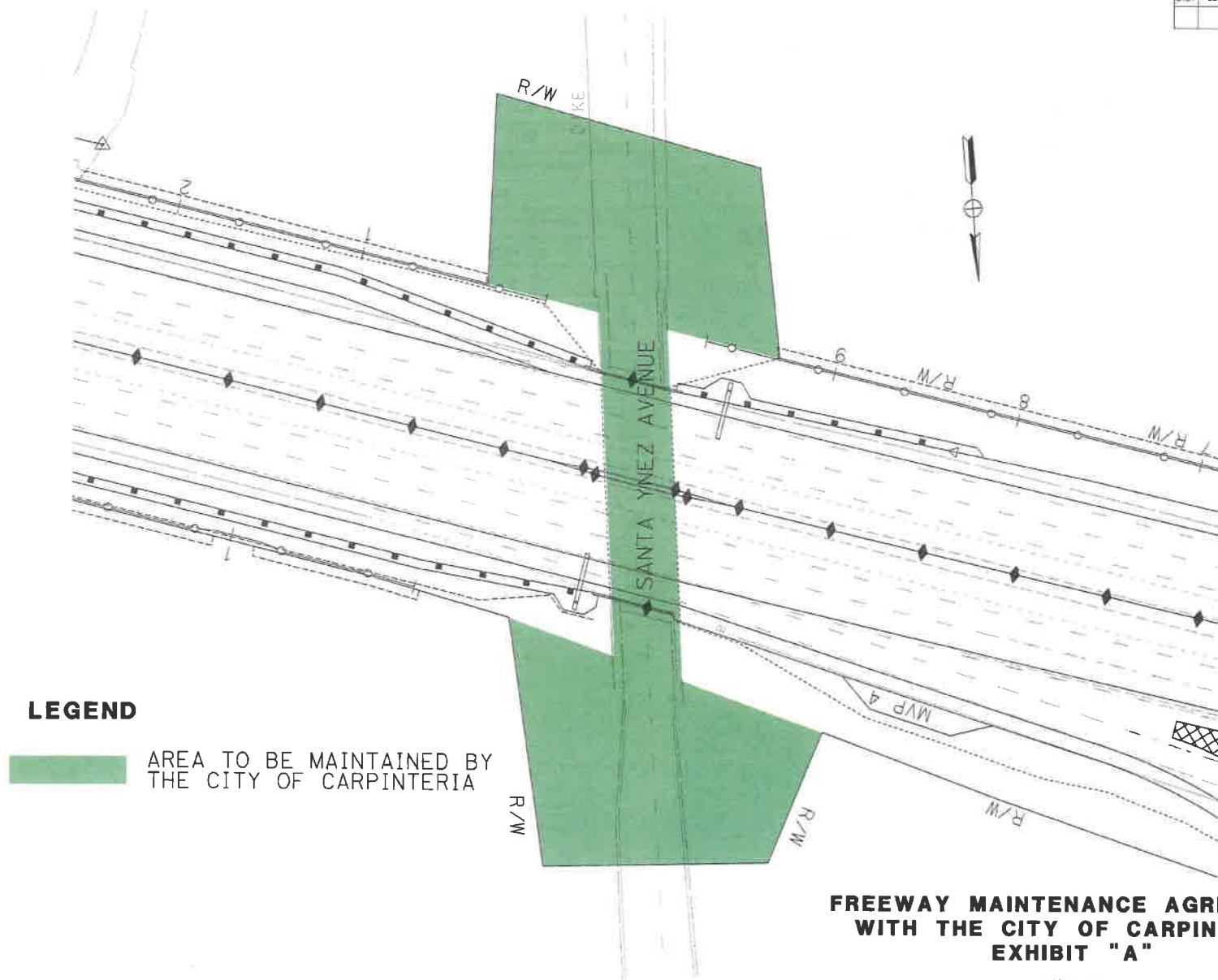
FREEWAY MAINTENANCE AGREEMENT WITH THE CITY OF CARPINTERIA

ON ROUTE 101 FROM .2 MILE SOUTH OF BAILARD
AVENUE O/C TO 0.7 MILE SOUTH OF
SOUTH PADARO LANE

VICINITY MAP

EXHIBIT "A"

DIST	COUNTY	ROUTE	KILOMETER POST TOTAL PROJECT	SHEET NO.	TOTAL SHEETS



LEGEND

AREA TO BE MAINTAINED BY THE CITY OF CARPINTERIA

**FREEWAY MAINTENANCE AGREEMENT
WITH THE CITY OF CARPINTERIA
EXHIBIT "A"**

NO SCALE

EXHIBIT "B"

**EXHIBIT B – LETTER OF CERTIFICATE OF CITY OF CARPINTERIA STATEMENT OF
SELF INSURANCE**

Caltrans – District 5

June 8, 2021

50 Higuera Street
San Luis Obispo, CA 93401

ATTN: Berkeley Lindt – Senior Maintenance Engineer

RE: Statement of Self Insurance for City of Carpinteria Related to Freeway Maintenance Agreement with State of California Department of Transportation ("STATE") for the portion of freeway along Highway 101 at PM 1.4 to 4.6.

Dear Berkeley,

The purpose of this letter is to certify that the CITY is self-insured and self-funded covering third-party claims arising out of its general operations (for example, commercial general liability and automobile liability insurance). Further the CITY is self-insured covering workers' compensation claims and has received the consent of the State Department of Industrial Relations to do so.

Each fiscal year, as a part of its budgetary process, the CITY appropriates funds specifically to satisfy valid third-party claims and workers' compensation claims, which may be brought against the CITY.

The CITY certifies its self-insured, general liability coverage for bodily injury liability and property damage liability, meets the required coverage amounts in section 12 (INSURANCE) of the Freeway Maintenance Agreement concerning SB 101 PM 1.4 to 4.6, specifically general liability insurance, coverage of bodily injury liability and property damage liability in an amount of \$1 million per occurrence and \$2 million in aggregate and \$5 million in excess. The CITY further represents that regarding any claims made in connection with the Maintenance Agreement by the STATE, the STATE will be first-in-line regarding the reserved, self-insured amounts.

If you need any additional information regarding this letter, please direct those inquiries through my office.

Sincerely,

FINANCE MANAGER



City of Carpinteria

COUNCIL AGENDA STAFF REPORT January 10, 2022

ITEM FOR COUNCIL CONSIDERATION

Adoption of Resolution No. 6079, concerning authorization to submit the Local Coastal Program Planning Grant Round 7 Application to the California Coastal Commission (Coastal Commission) and execute necessary agreements for updating the City of Carpinteria Coastal Land Use Plan/General Plan and Zoning Ordinance.

STAFF RECOMMENDATION

Adopt Resolution No. 6079, authorizing the Community Development Director to submit a planning grant application to the California Coastal Commission for support of the Carpinteria Coastal Land Use Plan (CLUP)/General Plan and Zoning Ordinance updates, and to update related consultant services agreements.

Sample Motion: I move to approve and adopt Resolution No. 6079, as read by title only.

(This motion requires a roll call vote.)

BACKGROUND

State grant funding is provided by the Budget Act of 2021, which appropriates \$31 million to the Coastal Commission to support its LCP Local Assistance Grant Program. The grant program is intended to provide assistance to local governments responsible for developing and amending Local Coastal Programs. Funds may be used for projects that are designed to assist local governments in assessing impacts and planning for coastal resiliency, including adapting to the impacts of climate change and sea level rise, and which contain an LCP planning component.

The City prepared the Grant Application under the Coastal Commission Local Coastal Program (LCP) Planning Grant Program Round 7 to request \$340,500.00 in grant funds for completion of the CLUP/General Plan and Zoning Ordinance Update.

The Grant Application, submitted to the Coastal Commission on December 22, 2021, requires adoption and submittal of the Resolution (Attachment A) by January 28, 2022,

in order to demonstrate requisite authorizations by the City Council. The Coastal Commission Grant Application Round 7 requires adoption of a Resolution that contains the following authorizations: 1) authority to submit the proposal, 2) authority to enter into a grant agreement with the Coastal Commission if the grant is awarded, and 3) designation of the applicant's authorized representative.

A grant award would contribute toward City consultant costs associated with the comprehensive update of the CLUP/General Plan, currently underway, the update to the City's Zoning Ordinance and City programs required to implement the CLUP/General Plan, and implementation of new state planning laws. In particular, Coastal Commission grant funding would contribute towards: (1) expansion of the LCP public outreach efforts, (2) preparation of staff reports for the LCP adoption hearings, (3) preparation of the LCP Update Program EIR, and (4) implementation of zoning code Coastal Development Permit procedures.

DISCUSSION

The City's LCP Planning Grant Application outlines the tasks required to complete the City's LCP and initiate certification with the Coastal Commission over an approximate 2 year period, through December 31, 2023, with possible extensions to December 31, 2025.

The Coastal Commission Round 7 Grant Application was developed to meet the grant goals and selection criteria, and includes tasks that closely relate to Coastal Act Priorities and that have been identified to continue to integrate previous LCP Update tasks, including completion of the City's Final Sea Level Rise Vulnerability Assessment and Adaptation Plan (March 2019) and ongoing preparation of the General Plan/Coastal Land Use Plan Update. Proposed grant tasks include:

- Expansion of the LCP Update public outreach efforts;
- Preparation of necessary staff reports, ordinances, and resolutions for both the Planning Commission and City Council, as part of the LCP Update adoption process;
- Preparation of a CEQA-compliant Environmental Impact Report for the LCP Update; and
- Implementation of Coastal Development Permit regulations as part of the provisions of Chapter 14 – Zoning, of the Carpinteria Municipal Code.

POLICY CONSISTENCY

The Coastal Commission Round 7 grant application serves to update the City's Local Coastal Program and ensure that continued coastal resiliency planning is realized. In keeping with the Coastal Commission's grant program priorities, the proposed grant would focus upon completion of the LCP Update work program to implement climate change and sea level rise impacts into effective into policies, actions, and standards of the Coastal Land Use Plan and zoning code.

Planning efforts would extend public outreach efforts during the important phase of public review and comment for both the Public Draft Plan and Program EIR, as well as during the public hearing adoption phase. The grant would also continue ongoing efforts to reach out to all members of the community, including social justice populations, and focus on equitable provision or opportunities of coastal resources (e.g., lower-cost recreational access for everyone). The grant also proposes to fund the preparation of a CEQA-compliant Program EIR and complete the implementation and certification of the Coastal Development Permit procedures for the Chapter 14 – Zoning regulations; actions which are essential to ensure development projects are consistent with the Coastal Act.

FINANCIAL CONSIDERATIONS

The City is requesting \$340,500.00 in grant funds under this program. The Grant Application includes a draft budget, broken down by task (Attachment B). The Grant Application requires a minimum of a twenty percent local match component, and City resources are leveraged to maximize the City's match contribution for a competitive application.

The City's local match includes the following:

- An in-kind match for City staff labor to oversee the program totaling \$44,500.00 (approximately 300 combined City staff hours over two years), for review of documents and materials, and attendance at meetings and hearings occurring during calendar years 2022 and 2023.
- A General Fund match of \$30,000 for contracted Consultant Services with Wood Environment & Infrastructure Solutions, Inc. for preparation of staff reports and exhibits (\$10,000.00) and preparation of the Program EIR (\$20,000.00), occurring within calendar years 2022 and 2023.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

Acquiring grant funding for the City's CLUP/GP and Zoning update is consistent with the City's intent in ensuring legally valid, up to date, and relevant planning policies and regulations. Maintaining up to date policies and regulations is also an effective risk management tool.

OPTIONS

1. Adopt Resolution No. 6079, authorizing the Community Development Director to submit this grant resolution to approve the planning grant application to the California Coastal Commission. *Staff recommendation*
2. Direct changes to the Draft Resolution.
3. Choose not to adopt the Resolution, and withdraw the Grant Application.

PRINCIPAL PARTIES EXPECTED AT MEETING

N/A

ATTACHMENTS

Attachment A Draft Resolution No. 6079 with Attachment 1: Grant Application for the
Coastal Commission LCP Planning Grant Round 7

Staff contact: Steve Goggia, Community Development Director
(805) 755-4414, steveg@ci.carpinteria.ca.us



Signature

Reviewed by: Dave Durflinger, City Manager
(805) 755-4400, daved@ci.carpinteria.ca.us



Signature

RESOLUTION NO. 6079

A RESOLUTION OF THE CITY OF CARPINTERIA CITY COUNCIL AUTHORIZING SUBMITTAL OF THE LOCAL COASTAL PROGRAM PLANNING GRANT ROUND 7 APPLICATION TO THE CALIFORNIA COASTAL COMMISSION

WHEREAS, the Budget Act of 2021 provides up to \$31 million to support the Coastal Commission's LCP Local Assistance Grant Program which awards grants to local governments to support coastal resiliency and updates to Local Coastal Programs (LCPs); and

WHEREAS, the California Coastal Commission, under the authority of the California Coastal Act, may provide financial assistance to support coastal planning and has approved a grant program to provide such financial assistance for LCP planning; and

WHEREAS, the goal of the grant program is to develop new or updated LCPs in conformance with the California Coastal Act and to promote coastal resiliency and address the effects of climate change; and

WHEREAS, grant proposals submitted under this grant program must complete Local Coastal Program (LCP) planning work with special emphasis on coastal resiliency and addressing the effects of climate change and sea-level rise; and

WHEREAS, the City of Carpinteria's LCP was certified in 2003; and

WHEREAS, the City of Carpinteria, desires to pursue a project that would result in the completion and submittal for certification by the California Coastal Commission of an Amendment to update the LCP, including implementation of a Coastal Development Permit process in the City's Municipal Code, Title 14 - Zoning; and

WHEREAS, the City of Carpinteria commits to and agrees to fully support and complete a planning effort intended to amend a certified LCP pursuant to the provisions of the California Coastal Act, with full public participation and coordination with the Coastal Commission staff.

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

1. Authorizes City of Carpinteria staff to submit the grant application package attached hereto as Attachment 1, to the California Coastal Commission to provide financial and planning assistance, under authority of the California Coastal Act, in the amount of \$340,500.00 to fund the project more particularly described in the grant application package.

2. Authorizes the City Manager, of the City of Carpinteria, to execute, in the name of the City of Carpinteria, all necessary applications, contracts and agreements and amendments thereto to implement and carry out the grant application package attached hereto and any project approved through approval of the grant application.

PASSED, APPROVED AND ADOPTED by the City Council, of the City of Carpinteria, on this 10th day of January, 2022, by the following called vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

ATTEST:

Mayor, City of Carpinteria

Acting City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was adopted at a regular meeting of the City Council of the City of Carpinteria held on January 10, 2022.

Acting City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria

CALIFORNIA COASTAL COMMISSION

455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105-2421
VOICE (415) 774-2000
FAX (415) 774-2001



CALIFORNIA COASTAL COMMISSION
LCP PLANNING GRANT APPLICATION FORM
NOVEMBER 8, 2021

The California Coastal Commission is pleased to announce the availability of Round 7 grant funding to support local government coastal resiliency efforts. Funding is provided by the Budget Act of 2021, which appropriates \$31 million to the Coastal Commission to support its LCP Local Assistance Grant Program. The grant program is intended to provide assistance to local governments responsible for developing and amending Local Coastal Programs. Funds may be used for projects that are designed to assist local governments in assessing impacts and planning for coastal resiliency, including adapting to the impacts of climate change and sea level rise, and which contain an LCP planning component. More information on eligible grantees and projects, program priorities, and evaluation criteria can be found in the [Grant Announcement](#) and the recently adopted [LCP Grant Program Updates](#).

Grant applications are due by **Friday, December 22, 2021 at 5 pm.**

Coastal Commission staff is available to assist during the application process. Applicants are encouraged to reach out to the LCP Grant team with any questions as they develop their applications. Contact information is provided below.

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APPLICATION FORM

APPLICANT INFORMATION

Applicant name (agency): City of Carpinteria	
Address: 5775 Carpinteria Avenue, Carpinteria, CA 93013	
Primary Contact name: Steve Goggia	Title: Community Development Director
Telephone: (805) 755-4414	Fax: N/A
Email: steveg@ci.carpinteria.ca.us	
Federal Tax ID#: 95-2414438	

Person authorized to sign grant agreement, amendments, and Request for Funds:	
Name: Dave Durflinger	Title: City Manager
Telephone: (805) 755-4400	Email: daved@ci.carpinteria.ca.us

PROJECT INFORMATION

Project Title: City of Carpinteria Local Coastal Program Update	
LCP/LCP Segment: Whole/Comprehensive	
Project Location	
City/Geographic area: City of Carpinteria	
County: Santa Barbara	
Project Timeline	
Start date: 05/01/2022	End date: 12/31/2023

Signature: _____

Date: December 21, 2022



APPLICATION MATERIALS

A complete grant application package will consist of the following materials. Please note the entire grant application will be public record upon submittal.

1. **Signed Application Form.** The signed application form (page 2, above), including the agency, primary contact, person authorized to sign, and project information.
2. **Project Description.** Provide a clear description of the proposed project, including how the project will meet program priorities and fulfill the evaluation criteria (see Attachment C). Describe the goals and objectives to be achieved as well as key deliverables and LCP planning components (including specifying whether proposed work will include updates on the Land Use Plan, Implementation Plan/Zoning Code, and/or a Public Works Plan). Note that public outreach and coordination with Coastal Commission staff are required components of these grants. The Project Description section should be no more than 2 pages in 12 point font, single-spaced.
3. **Task Descriptions and Schedule.** Provide a description of the tasks that will accomplish your project goals and objectives (see Section A below) and complete a proposed schedule, including anticipated benchmarks, for implementation of each task (see Section B below).
 - a. **Task Descriptions:** Identify specific tasks and subtasks to be accomplished and provide a narrative description of each task and subtask, including the approach needed to accomplish the task and the roles of partners and stakeholders. Task descriptions should briefly state how they support the overall project goals.

Proposed deliverables for each task should be described as well, such as draft and final sea level rise vulnerability assessments and adaptation reports, and draft, revised draft, and submittals of Land Use Plans, Implementation Plan, and/or Public Works Plans. Note that tasks (and the schedule, below) should account for review of major deliverables by Coastal Commission staff and members of the public prior to finalization.

Please describe how the project applicant will conduct outreach to engage stakeholders in the planning process, particularly those from disadvantaged and low-income communities, as well as California Native American Tribes, and how these stakeholders will be involved in the planning or assessment process. If your project includes partners, please identify their roles and responsibilities.
 - b. **Schedule:** Complete the schedule template below for each task and subtask. Please specify dates for the submittal of interim drafts as well as final deliverables as applicable (*e.g.*, Draft Vulnerability Assessment and Final Vulnerability Assessment). Please note that grant projects should be completed by December 31, 2025, though extensions may be allowed.



Proposed Start/End Dates: 5/01/2022 to 12/31/2025

Task 1. LCP Update Public Outreach	Projected start/end dates: May 1, 2022 – Dec 31, 2022
1.1 Public Workshops – Coastal Land Use Plan/General Committee	Projected start/end dates: 5/2022 – 12/2022
Outcome/Deliverables: a. Meeting Staff Reports b. Meeting Minutes	a. Completion date: 12/2022 b. Completion date: 12/2022
Task 2. LCP Update Staff Report Preparation for Adoption Hearings	Projected start/end dates: Sept 1, 2022 – Dec 31, 2022
2.1 Public Hearings – Planning Commission	Projected start/end dates: 9/2022 - 10/2022
2.2 Public Hearings – City Council	Projected start/end dates: 10/2022-12/2022
Outcome/Deliverables a. Meeting Staff Reports b. Meeting Agendas and Minutes	a. Completion date: 9/2022 b. Completion date: 12/2022
Task 3. LCP Update CEQA Documentation	Projected start/end dates: May 1, 2022 – Jan 1, 2023
3.1 Admin Draft EIR	Projected start/end dates: 5/2022 – 8/2022
3.2 Draft EIR and Public Hearing	Projected start/end dates: 8/2022 – 9/2022
3.3 Draft Final EIR	Projected start/end dates: 9/2022 – 11/2022
3.4 Certified Final EIR	Projected start/end dates: 12/2022 – 1/2023
Outcome/Deliverables a. NOP b. Minutes EIR Scoping Meeting c. Draft EIR, Public Comments d. Final Draft EIR e. Certified EIR	a. Completion date: June 2022 b. Completion date: July 2022 c. Completion date: Sept 2022 d. Completion date: Nov 2022 e. Completion date: Jan 2023
Task 4. LCP IP: Coastal Development Permit Procedures - Zoning Code Amendment	Projected start/end dates: June 1, 2022 – Dec 31, 2023
4.1 Prepare Draft CDP Ordinance	Projected start/end dates: 6/2022 – 9/2022
4.2 Public Outreach and Workshop	Projected start/end dates: 9/2022 – 12/2022
4.3 Revise Draft CDP Ordinance	Projected start/end dates: 12/2022 – 3/2023
4.4 Adoption Hearings	Projected start/end dates: 3/2023 – 6/2023
4.5 CCC Submittal and Certification Hearing	Projected start/end dates: 6/2023 – 12/2023
4.6 CCC Coordination	Projected start/end dates: 6/2022 – 12/2023
Outcome/Deliverables a. Draft CDP Regulations b. Public Outreach Summary c. Final CDP Regulations, Staff Reports d. LCP Submittal Package	a. Completion date: Sept 2022 b. Completion date: Dec 2022 c. Completion date: June 2023 d. Completion date: Dec 2023



- c. **Benchmark Schedule:** Please list (1) all significant and pertinent project benchmarks related to the project for which funds are being requested, (2) expected dates for reaching or completing those steps. These dates will be used in monitoring grant progress and in grant reporting under approved grant agreements.

ACTIVITY	COMPLETION DATE
LCP Update Public Outreach	12/31/2022
LCP Update Staff Report Preparation for Adoption Hearings	12/31/2022
LCP CEQA Documentation	01/31/2023
LCP IP: Zone Code Amendment, Coastal Development Permit Process	12/31/2023

4. **Budget.** Please include a task-by-task budget for both City staff labor and for potential consultants and/or project partners. Budget detail on sub-tasks is not necessary and budgets may be amended following execution of grant agreements. Note that consultant/partner costs must be listed by task and must include all costs relating to consultant/partner labor, travel, supplies, overhead, etc. If consultants will be hired at a later date, please include a budget estimate per task that can be updated after hiring the consultants.

Application Budget Information

Funding Request: \$ 340,500.00

Total Project Cost: \$ 414,500.00

<i>City of Carpinteria</i>	<i>CCC Grant Total</i>	<i>City Match</i>	<i>Total (LCP Grant Funds + Match)</i>
LABOR COSTS¹			
City Staff Labor			
Task 1 –LCP Update Public Outreach	\$ 0.00	\$ 7,000.00	\$ 7,000.00
Task 2 – LCP Update Staff Report Preparation for Adoption Hearings	\$ 0.00	\$ 7,500.00	\$ 7,500.00
Task 3 – LCP CEQA Documentation	\$ 0.00	\$ 12,000.00	\$ 12,000.00
Task 4 – LCP IP - Coastal Development Permit Zoning Regulations	\$ 90,000.00	\$ 18,000.00	\$ 108,000.00
Total Labor Costs	\$ 90,000.00	\$ 44,500.00	\$ 134,500.00

¹ Amount requested should include total for salary and benefits.



<i>City of Carpinteria</i>	CCC Grant Total	City Match	Total (LCP Grant Funds + Match)
DIRECT COSTS			
City Staff Project Supplies			
A	-	-	-
B, etc.	-	-	-
Total	-	-	-
City Staff Travel In State²			
Mileage	-	-	-
Hotel, etc.	-	-	-
Total	-	-	-
Consultants³/Partners			
Consultant A			
Task 1 – LCP Update Public Outreach	\$ 35,000.00	-	\$ 35,000.00
Task 2 – LCP Update Staff Report Preparation for Adoption Hearings	\$ 42,500.00	\$ 10,000.00	\$ 52,500.00
Task 3 – LCP CEQA Documentation	\$ 173,000.00	\$ 20,000.00	\$ 193,000.00
Consultants Total	\$ 250,500.00	\$ 30,000.00	\$ 280,500.00
Total Direct Costs	\$ 250,500.00	\$ 30,000.00	\$ 280,500.00
OVERHEAD/INDIRECT COSTS⁴			
Total City Staff Overhead/Indirect Costs	\$ 0.00	\$ 0.00	\$ 0.00
TOTAL PROJECT COST	\$ 340,500.00	\$ 74,500.00	\$ 414,500.00

5. **Supplementary Information** (optional). Additional photos, maps and/or other information may be included as attachments if such materials will help illustrate or support the proposed project. This may include maps or other information identifying disadvantaged and low-income communities within the planning area; maps, photos, or other information regarding project areas identified to be significantly impacted by climate change or sea level rise; brief descriptions or links to previously completed studies or other work upon which the proposed project will build; or letters of support from relevant stakeholders.

Please note: All photos, maps, and additional information submitted is subject to the unqualified and unconditional right of the State of California to use, reproduce, publish, or display it, free of charge. All items submitted will be considered a public record upon

² Travel reimbursement rates are the same as similarly situated state employees.

³ All consultants must be selected pursuant to a bidding and procurement process that complies with all applicable laws.

⁴ Indirect costs include, for example, a pro rata share of rent, utilities, and salaries for certain positions indirectly supporting the proposed project but not directly staffing it. Amount requested for indirect costs should be capped at 10% of amount requested for "Total Labor."



submittal and will be treated in accordance with Public Records Act requirements. Please indicate if credit is requested for any photos and/or maps or documents.

6. **Resolution from the Applicant's Governing Body.** Please submit a resolution that contains the following authorizations: 1) authority to submit the proposal, 2) authority to enter into a grant agreement with the California Coastal Commission if the grant is awarded, and 3) designation of the applicant's authorized representative (name and title). A sample resolution is provided as [Attachment A](#). Resolutions should also contain clear statements of commitment to full completion of the intended grant process, including submission of applicable LCP products (LCP submittal or amendment) to the Commission for review.

SUBMISSION DATES

Applications are due Wednesday, December 22, 2021 and must be RECEIVED by 5 pm. Applications must be emailed or mailed; faxed responses will not be considered.

If the governing body of an applicant cannot adopt a resolution similar to Attachment A of the application by the submission date, the applicant can submit the proposal with a draft resolution, provide a date for when the governing body will consider adoption of the resolution and **submit the adopted resolution by 5 pm, Friday, January 28, 2022**. All other materials must be submitted by the December 22 deadline. Applications will not be deemed complete until an adopted resolution is received. **Applications that do not contain a final, adopted resolution by 5 pm, January 28, 2022 will not be considered for funding.**

The Commission anticipates awarding the seventh round of grants in March 2022.

SUBMISSION INSTRUCTIONS

Please submit the completed application form, including all attachments, via email to LCPGrantProgram@coastal.ca.gov. Submit all application materials combined in a single PDF file, AND submit the Project Proposal (including project description, task descriptions, schedule, and budget) as a Word document. See Attachment B for an application checklist.

If you are unable to submit via email, you may mail a CD and hard copy to the Coastal Commission at the address below. Please coordinate with Kelsey Ducklow via email prior to mailing hard copy application materials.

Kelsey Ducklow
California Coastal Commission
455 Market St., Suite 300
San Francisco, CA 94105
kelsey.ducklow@coastal.ca.gov



Please note: all information that you submit is subject to the unqualified and unconditional right of the State of California to use, reproduce, publish, or display it, free of charge. All documents submitted will be considered a public record upon submittal and will be treated in accordance with Public Records Act requirements. Please indicate if credit is requested for any photos and/or maps.

CONTACT INFORMATION

Coastal Commission staff are pleased to assist local governments during preparation of LCP grant applications. Contact information for the LCP Grant Program Team is included below. **Please note that due to the COVID-19 Pandemic, many staff members continue to work from home, so email may be the best way to contact them at this time.**

For questions on the overall grant application process, including project eligibility and funding requirements, please contact Kelsey Ducklow at: kelsey.ducklow@coastal.ca.gov or (415) 904-2335.

Questions regarding specific project proposals should be directed to the LCP grant coordinator for the respective County:

- For Northern California counties (Del Norte through San Luis Obispo), please contact Kelsey Ducklow at: kelsey.ducklow@coastal.ca.gov, or call (415) 904-2335.
- For Santa Barbara, Ventura, and Orange Counties, please contact Karen Vu at: karen.vu@coastal.ca.gov, or call (415) 904-5268.
- For Los Angeles County, please contact Mary Matella at: mary.matella@coastal.ca.gov, or call (415) 904-6093
- For San Diego County, please contact Carey Batha at: Carey.Batha@coastal.ca.gov, or call (415) 904-5287

For District-specific questions, contact information for each district office is listed below.

North Coast (Del Norte, Humboldt, Mendocino Counties)

- Kate Huckelbridge, Deputy Director: kate.huckelbridge@coastal.ca.gov, (415) 396-9708
- Bob Merrill, District Manager: Bob.Merrill@coastal.ca.gov, (707) 826-8950

North Central Coast (Sonoma, Marin, San Francisco, San Mateo Counties)

- Dan Carl, Deputy Director: Dan.Carl@coastal.ca.gov, (831) 427-4863
- Stephanie Rexing, District Manager: stephanie.rexing@coastal.ca.gov, (415) 904-5260

Central Coast (Santa Cruz, Monterey, San Luis Obispo Counties)

- Dan Carl, Deputy Director: Dan.Carl@coastal.ca.gov, (831) 427-4863



- Susan Craig, District Manager: Susan.Craig@coastal.ca.gov, (831) 427-4863

South Central Coast (Santa Barbara and Ventura Counties, and the Malibu portion of Los Angeles County)

- Steve Hudson, Deputy Director: Steve.Hudson@coastal.ca.gov, (805) 585-1800
- Barbara Carey, District Manager: Barbara.Carey@coastal.ca.gov, (805) 585-1800

South Coast (Los Angeles (except Malibu) and Orange Counties)

- Karl Schwing, Deputy Director, Orange County: Karl.Schwing@coastal.ca.gov, (562) 590-5071
- Steve Hudson, Deputy Director, Los Angeles County: Steve.Hudson@coastal.ca.gov, (562) 590-5071
- Amber Dobson, District Manager: Amber.Dobson@coastal.ca.gov, (562) 590-5071
- Shannon Vaughn, District Manager: shannon.vaughn@coastal.ca.gov, (562) 590-5071

San Diego (San Diego County)

- Karl Schwing, Deputy Director: Karl.Schwing@coastal.ca.gov, (619) 767-2370
- Diana Lilly, District Manager: diana.lilly@coastal.ca.gov, (619) 767-2370
- Kanani Leslie, District Manager: kanani.leslie@coastal.ca.gov, (619) 767-2370



Attachment A: Sample Resolution⁵

WHEREAS, the Budget Act of 2021 provides up to \$31 million to support the Coastal Commission's LCP Local Assistance Grant Program which awards grants to local governments to support coastal resiliency and updates to Local Coastal Programs (LCPs); and

WHEREAS, the California Coastal Commission, under the authority of the California Coastal Act, may provide financial assistance to support coastal planning and has approved a grant program to provide such financial assistance for LCP planning; and

WHEREAS, the goal of the grant program is to develop new or updated LCPs in conformance with the California Coastal Act and to promote coastal resiliency and address the effects of climate change; and

WHEREAS, grant proposals submitted under this grant program must complete Local Coastal Program (LCP) planning work with special emphasis on coastal resiliency and addressing the effects of climate change and sea-level rise; and

WHEREAS, (insert name of jurisdiction), has [does not yet have] an effectively certified LCP [or LCP segment]; and

WHEREAS, the (name of jurisdiction), desires to pursue a project that would result in the completion and submittal for certification by the California Coastal Commission of an Amendment to the LCP [in whole or in part]; and

[For uncertified areas] WHEREAS, the (name of jurisdiction), desires to pursue a project that would result in the completion and submittal for certification by the California Coastal Commission of an LCP and desires to assume permit issuing authority; and

WHEREAS, the (name of jurisdiction) commits to and agrees to fully support a planning effort intended to [complete or] amend a certified LCP pursuant to the provisions of the California Coastal Act, with full public participation and coordination with the Coastal Commission staff.

NOW, THEREFORE, BE IT RESOLVED, that the [name of legislative or policy body], of the [name of jurisdiction], hereby:

1. Directs [name of jurisdiction] staff to submit the grant application package attached hereto as Attachment 1 to the California Coastal Commission to provide financial and planning assistance, under authority of the California Coastal Act, in the amount of \$_____ to fund the project more particularly described in the grant application package.

⁵ This sample is provided for informational purposes only; please contact your attorney before using this sample.



2. Authorizes the (title of official), of the (name of jurisdiction), to execute, in the name of the (name of jurisdiction), all necessary applications, contracts and agreements and amendments thereto to implement and carry out the grant application package attached hereto and any project approved through approval of the grant application.

PASSED AND ADOPTED by the (name of legislative or policy body), of the (name of jurisdiction), on this ____ day of _____, 2021 on the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Attest:

Signed:

(name and title of official authorized to sign resolutions of the governing body)



Attachment B: Application Checklist

A complete Grant Application Packet includes the following components. Please submit all documents in a single PDF file as well as a Word Document of the Project Proposal details, as noted below. **It is very important to receive the PDF file and a Word document for efficiency in preparing grant agreement documents.** Thank you for your attention to these important components of the application.

- ✓ Signed LCP Grant Application Form (.pdf)
- ✓ Project Proposal (.doc)
 - Project Description, Task Descriptions, Schedule, Budget, and Supplemental Information
- ✓ Signed Resolution (.pdf) Please note: The City of Carpinteria is providing a draft resolution. The resolution is scheduled to be adopted by our City Council on January 10, 2022. We will submit a signed and dated resolution prior to the Coastal Commission's January 28, 2022 deadline.
- ✓ All documents combined into a single PDF file (.pdf)



Attachment C: Program Priorities and Evaluation Criteria

Applications for Round 7 LCP planning grants will be evaluated for their ability to complete the proposed planning work. Projects selected for funding will be those that best meet the Commission's adopted program priorities and evaluation criteria, which were updated at the October 2021 hearing to reflect current planning needs.⁶

Program Priorities

Applications will be evaluated for their ability to advance coastal resiliency efforts in the context of LCP planning. This may include:

- Completion of technical, economic, policy, or other analyses meant to assist in understanding, planning for, and adapting to climate change and sea level rise, and increasing coastal resiliency, including but not limited to general vulnerability assessments, studies to evaluate impacts based on evolving science (*e.g.*, extreme sea level rise, groundwater change), feasibility and design studies for nature-based adaptation or other specific strategies, and development of monitoring programs
- Planning work and/or related studies to support development of regional, neighborhood, site, or asset specific adaptation approaches, including phased adaptation/adaptation pathways, such as for a Shoreline Management Plan, a Coastal Hazards Response Plan as required by a Coastal Development Permit, or similar
- Planning work and/or focused outreach efforts to increase public awareness and participation in climate change and sea level rise planning activities, particularly among vulnerable communities
- Planning work to address environmental justice concerns, particularly related to climate change and sea level rise planning activities, and to ensure equitable protection of coastal resources and provision of public coastal access and lower-cost recreation for everyone, regardless of race, ethnicity, socio-economic status, or place of residence
- Completion of land use plan and/or zoning work to achieve certification of a new Local Coastal Program (or an Area of Deferred Certification) or planning and/or zoning work to significantly update certified LCPs (or LCP segments) in whole or in part to provide for coastal resiliency, or to reflect changed conditions, new information and scientific knowledge, new programs and policies, or other significant changed circumstances

⁶ See: [Recommended Updates to the LCP Local Assistance Grant Program](#), adopted October 15, 2021.



Evaluation Criteria

Staff will evaluate grant applications against the following selection criteria. The criteria will be considered as a whole, not weighted.

Public Benefit/Significance

The Commission will consider the extent to which the proposed project will address issues of statewide significance and maximize public benefits of the coast. These can include reducing greenhouse gases and addressing the impacts of climate change and sea level rise; preserving and enhancing coastal habitat; protecting, providing and enhancing public access; protecting priority land uses such as agriculture, coastal dependent development, or recreation; protecting and providing lower cost visitor and recreational opportunities. The Commission will consider the extent to which priority Coastal Act resources are addressed and the public benefits maximized.

Environmental Justice

In 2016, the Legislature passed AB 2616 giving the Coastal Commission explicit authority to consider environmental justice, defined in California Government Code Section 65040.12(e), as updated in 2020, as: *"The fair treatment and meaningful engagement of people of all races, cultures, incomes, and national origins with respect to the development, adoption, implementation and enforcement of environmental laws, regulations, and policies."* Low-income communities, indigenous communities, communities of color, and other marginalized communities often bear a disproportionate burden of pollution or other environmental harms, while suffering from a lack of environmental services, such as clean drinking water, clean air, and access to parks and open space. Addressing these types of disparities and barriers to meaningful involvement is critical for ensuring that Coastal Act goals of protecting coastal resources for all are equitably fulfilled, particularly as climate change results in evolving risks, without creating new or continuing to exacerbate existing environmental burdens in environmental justice communities. The Coastal Commission will consider the extent to which environmental justice issues are addressed when evaluating grant proposals.

Addressing the Effects of Climate Change

Climate change is one of the most significant policy areas to emerge since many of the LCPs have been certified. The Commission is seeking LCP updates and amendments that address the effects of climate change, including land use, housing, transportation, and habitat restoration and conservation policies that facilitate reductions in greenhouse gases and vehicle miles traveled, as well as the planning and implementation of strategies to adapt to sea level rise and other issue areas affected by climate change, such as changes in habitats and fire hazards.

Relative Need for LCP Update

Related to the public benefits of a proposal, the Commission will consider the relative need for an LCP update, considering the length of time since an LCP or LCP segment has been updated and the significance of the issues proposed to be updated. For example, many jurisdictions seek



to assess vulnerability and develop adaptation solutions to address sea level rise, fire, or other climate change impacts to critical infrastructure, residential areas, recreational amenities and open space, or significant wetland and habitat areas. Others have identified needs to reduce vehicle miles traveled, encourage smart growth, increase climate-resilient housing supply, improve public transit, and enhance pedestrian and bicycle options, particularly to and along the coast. A proposal to complete technical studies, economic analyses, mapping, public outreach, and development of LCP policies in support of these options may be important.

Likelihood of Success/Effectiveness

Overall, the success of the Commission's grant program will be measured by the progress made toward development and implementation of climate resilience strategies, including through LCP certification, update, or amendment. The Commission will consider the likelihood of success of each proposal, including evaluating the practicality, feasibility, and effectiveness of a proposed work program that may lead to successful implementation. Proposals must address the need for coordination with the public and the Commission, and provide for practicable benchmarks for development and review of studies, plans, LCP policies, and other project-specific deliverables.

Other evidence in support of this criteria may include resolutions of intent and endorsement for the proposed work from the jurisdiction and other organizations, matching funds, or other complementary efforts (see below), or other factors that may affect the likelihood that an LCP amendment will be successfully completed. Applicants will be asked to describe any LCP planning work that has been initiated or is already underway at the local level and how this grant program is needed to substantially further that effort. A resolution from the applicant committing to completing an LCP Amendment submittal to the Commission will be required as part of the application.

For new LCP development, the local government should demonstrate its willingness and capacity to assume local coastal development permit processing. Relatedly, some areas of the coastal zone remain uncertified because the Commission and local government have been unable to reach agreement on the resolution of issues or the issue is particularly intractable. The Commission will consider the likelihood that such areas and specific policy questions can be successfully addressed, leading to certification of the area.

Project Integration/Leverage/Matching Funds

The Commission will consider the relationship of the LCP work program to other planning work being undertaken by the jurisdiction. There are several statewide grant programs underway which may positively integrate with this LCP Planning Grant program. Applicants will be asked to describe any other related grant awards (such as through past Coastal Commission grant rounds, or from the Ocean Protection Council, Coastal Conservancy, Caltrans, or the Strategic Growth Council) that may support the LCP planning work. The Commission will consider the ability to integrate and leverage any additional program funds available that could help support LCP certification, update, or amendment.



City of Carpinteria

COUNCIL AGENDA STAFF REPORT January 10, 2022

ITEM FOR COUNCIL CONSIDERATION

Certification of Sufficiency of the initiative petition titled “An Initiative Measure to Change and/or Readopt the City of Carpinteria’s General Plan Designation and Zoning Designation for Two Parcels of City-Owned Property (APN 004-105-011 and APN 004-105-026) Located Adjacent to the Railroad Tracks to the West of Linden Avenue and to Amend the Definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land Use Element” (“Initiative”).

STAFF RECOMMENDATION

Adopt Resolution No. 6081, accepting the City Clerk’s Certificate of Sufficiency of the Initiative petition.

Sample Motion:

I move to adopt Resolution No. 6081, as read by title only, thereby accepting the City Clerk’s Certificate of Sufficiency of the Initiative petition.

BACKGROUND

On June 4, 2021, the proponents of the proposed Initiative filed a Notice of Intent to Circulate Petition with the City Clerk. The process of a municipal initiative measure is described in Elections Code Sections 9200 – 9226. The City Attorney prepared an impartial ballot title and summary, which the City Clerk submitted to the proponents on June 18, 2021. The proponents published the Notice of Intent to Circulate Petition and the ballot title and summary of the proposed Initiative in the Coastal View Newspaper on June 24, 2021 and filed a proof of publication with the City Clerk on June 25, 2021. The proponents began circulating the Initiative petition shortly thereafter. On June 28, 2021, the City Council adopted Resolution No. 6061 authorizing engagement of the Santa Barbara County Office of Elections/Registrar of Voters to assist the City Clerk with a full verification of petition signatures. The County of Santa Barbara Board of Supervisors approved the City’s request at its meeting on August 3, 2021.

During the time the petition was being circulated, the City Council on August 16, 2021 adopted Resolution No. 6070 ordering the preparation of a report pursuant to California Elections Code Section 9212, analyzing the impacts and effects of the proposed Initiative. The Council received this report on December 13, 2021.

On November 22, 2021, the proponents timely filed the signatures on the Initiative petition with the City Clerk. In order for the Initiative petition to move forward, the number of valid signatures must equal or exceed ten percent (10%) of the registered voters in the City based on the County Elections report to the Secretary of State effective at the time the Notice of Intent and ballot title and summary of the proposed measure was published by the proponents on June 24, 2021. The Santa Barbara County Registrar's last official report of registration to the Secretary of State on February 10, 2021, and effective at the time of publication, reported 8,074 registered voters in the City. On November 22, 2021, the City Clerk ascertained that the petition contained more than the required 808 signatures in his prima facie count and delivered the petition to Santa Barbara County Elections/Registrar of Voters ("County Elections Office") for verification of signatures.

The County Elections Office completed the verification of signatures on the Initiative and the City Clerk notified proponents of the results on December 20, 2021.

DISCUSSION

The County Elections Office determined that the Initiative petition contained 1,075 signatures, of which 932 were found to be valid. This is a sufficient number to qualify the Initiative measure. The City Clerk's Certificate of Sufficiency of Initiative Petition (shown as Exhibit 1 to Resolution No. 6081) provides a breakdown of the petition signatures.

The purpose of this agenda matter is for the Council to consider and adopt a resolution accepting the City Clerk's Certificate of Sufficiency of the Initiative Petition (Attachment A).¹

POLICY CONSISTENCY

The Initiative process outlined in this report is consistent with the California Elections Code.

FINANCIAL CONSIDERATIONS

There is no cost to the City to accept the Certificate of Sufficiency of Petition.

¹ In addition to adopting a resolution accepting the Certificate of Sufficiency of Initiative Petition, the City Council must either (1) adopt the Initiative by ordinance, without alteration, at this meeting; or (2) submit the Initiative, without alteration, to the voters. The consideration of the City Council adopting the Ordinance or submitting it to the voters of the City is presented as a separate agenda item.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

The City Attorney's Office has reviewed this staff report and attachments and will be available at the meeting to answer questions.

OPTIONS

1. Adopt the Resolution Accepting the City Clerk's Certificate of Sufficiency of the Initiative petition (Staff Recommendation).
2. Direct changes to the draft Resolution and adopt.

PRINCIPAL PARTIES EXPECTED AT MEETING

Initiative proponents and interested members of the public.

ATTACHMENTS

Attachment A: Resolution No. 6081, Adopting the City Clerk's Certificate of Sufficiency of Initiative petition

Attachment B: Results of Initiative Petition Review from County Elections Office

Staff contact:

Brian C. Barrett, Acting City Clerk
(805) 755-4446; brianb@ci.carpinteria.ca.us


Signature

Reviewed by: Dave Durflinger, City Manager
(805) 755-4400, daved@ci.carpinteria.ca.us


Signature

Attachment A

Resolution Adopting the Certificate of Sufficiency of Initiative Petition

RESOLUTION NO. 6081

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CARPINTERIA ACCEPTING THE CITY CLERK'S CERTIFICATE OF
SUFFICIENCY OF THE INITIATIVE PETITION ENTITLED "AN
INITIATIVE MEASURE TO CHANGE AND/OR READOPT THE CITY OF
CARPINTERIA'S GENERAL PLAN DESIGNATION AND ZONING
DESIGNATION FOR TWO PARCELS OF CITY-OWNED PROPERTY
(APN 004-105-011 AND APN 004-105-026) LOCATED ADJACENT TO
THE RAILROAD TRACKS TO THE WEST OF LINDEN AVENUE AND
TO AMEND THE DEFINITION OF OPEN SPACE/RECREATION (OSR)
LAND USE CATEGORY OF THE GENERAL PLAN LAND USE
ELEMENT"**

WHEREAS, on June 4, 2021, proponents of an initiative entitled "An Initiative Measure to Change and/or Readopt the City of Carpinteria's General Plan Designation and Zoning Designation for Two Parcels of City-Owned Property (APN 004-105-011 and APN 004-105-026) Located Adjacent to the Railroad Tracks to the West of Linden Avenue and to Amend the Definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land Use Element" ("Initiative") submitted a Notice of Intent to Circulate Petition, which included the text of the proposed Initiative, with the City Clerk and requested that the City Attorney prepare the title and summary pursuant to Election Code requirements; and

WHEREAS, on June 18, 2021, the City Attorney prepared and provided an official ballot title and summary for the proposed Initiative for use by the proponents for publication and circulation of the Initiative petition; and

WHEREAS, on June 17, 2021, the City Clerk contacted the Santa Barbara County Registrar-Recorder's Office to determine the number of registered voters in the City of Carpinteria, as of its last report to the Secretary of State pursuant to Elections Code Section 2187, effective February 10, 2021, and the Clerk determined that the number of registered voters in the City was 8,074; and

WHEREAS, the Initiative petition would require at least 808 (10%) valid signatures of registered voters in the City of Carpinteria to be sufficient to qualify for a regular or special election; and

WHEREAS, on November 22, 2021, Initiative proponents timely filed the signatures on the Initiative petition with the City Clerk, which were then submitted to the

Santa Barbara County Elections/Registrar of Voters ("County Elections Office") on the same day for signature verification; and

WHEREAS, the results of the signature verification conducted by the County Elections Office established that the Initiative petition contained 1,075 signatures, of which 932 were found to be valid; and

WHEREAS, the Initiative petition was deemed sufficient by the County Elections Office and the City Council is required to either (1) adopt the Initiative by ordinance, or (2) submit the Initiative to the voters at either a regular or special election pursuant to Elections Code sections 9215 and 1405; and

WHEREAS, the City Clerk has prepared the Certificate of Sufficiency of the Initiative petition; and

WHEREAS, pursuant to Elections Code Section 9114, the City Clerk is required to certify the results of the examination of the petition at the next regular meeting of the City Council following completion of the examination.

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The above recitals are true and correct.

SECTION 2. The City Council of the City of Carpinteria hereby accepts the Certificate of Sufficiency of the Initiative petition attached to this Resolution as Exhibit 1 and dated December 20, 2021.

PASSED, APPROVED AND ADOPTED on the 10th day of January, 2022, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

Mayor, City of Carpinteria

ATTEST:

Acting City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was adopted at a regular meeting of the City Council of the City of Carpinteria held on January 10, 2022.

Acting City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria

EXHIBIT 1 TO RESOLUTION NO. 6081
Certificate of Sufficiency of the Initiative Petition

CERTIFICATE OF SUFFICIENCY OF INITIATIVE PETITION

I, Brian C. Barrett, Acting City Clerk of the City of Carpinteria, County of Santa Barbara, State of California, hereby certify:

That the initiative petition entitled, "An Initiative Measure to Change and/or Readopt the City of Carpinteria's General Plan Designation and Zoning Designation for Two Parcels of City-Owned Property (APN 004-105-011 and APN 004-105-026) Located Adjacent to the Railroad Tracks to the West of Linden Avenue and to Amend the Definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land Use Element" was filed with the City Clerk on November 22, 2021;

That said petition consists of 28 sections;

That each section contains signatures purporting to be signatures of qualified electors of the City of Carpinteria, California;

That attached to this petition at the time it was filed, was an affidavit purporting to be the affidavit of the person who solicited the signatures, and containing the dates between which the purported qualified electors signed this petition;

That the affiant stated his or her own qualification, that he or she had solicited the signatures upon that Section, that all of the signatures were made in his or her presence, and that to the best of his or her own information and belief, each signature to that section of the person whose name it purports to be;

That after the proponents filed this petition and based on the County of Santa Barbara Registrar of Voters' Signature Verification Certificate, I have determined the following facts regarding this petition:

1. Number of unverified signatures filed by proponent (raw count):	<u>1,075</u>
2. Number of signatures verified:	<u>1,075</u>
3. Number of signatures found VALID:	<u>932</u>
4. Number of signatures found NOT VALID:	<u>143</u>
5. Total number of signatures required to qualify for General Municipal Election (10% x 8,074):	<u>808</u>
6. Total number of signatures valid based on verification certificate:	<u>932</u>

Based on the above, the petition is deemed to be sufficient.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Carpinteria this 20th day of December, 2021.


Brian C. Barrett, Acting City Clerk
City of Carpinteria



Attachment B

Results of Initiative Petition Review from County Elections Office

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REGISTRAR OF VOTERS

4440-A Calle Real
Santa Barbara, CA 93110

Mailing Address:

PO Box 61510
Santa Barbara, CA 93160-1510



Lompoc Branch Office
401 E. Cypress Ave, Room 102
Lompoc, CA 93436

Santa Maria Branch Office
511 E. Lakeside Parkway, Suite 134
Santa Maria, CA 93455

JOSEPH E. HOLLAND
COUNTY CLERK, RECORDER AND ASSESSOR

December 9, 2021

Brian C. Barrett
Acting City Clerk
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria CA 93013

Dear Brian,

The County of Santa Barbara Elections Division Office has completed the review and validation of signatures submitted on the initiative measure filed in your office on November 22, 2021. Enclosed please find the certificate of our findings for the initiative measure.

If you need any additional information, please contact me at (805) 696-8956 or by email to hgonzal@countyofsb.org.

Sincerely,

Hector Gonzalez Loera
Elections Division Supervisor
Santa Barbara County Elections

REGISTRAR OF VOTERS

4440-A Calle Real
Santa Barbara, CA 93110

Mailing Address:

PO Box 61510
Santa Barbara, CA 93160-1510



Lompoc Branch Office
401 E. Cypress Ave, Room 102
Lompoc, CA 93436

Santa Maria Branch Office
511 E. Lakeside Parkway, Suite 134
Santa Maria, CA 93455

JOSEPH E. HOLLAND
COUNTY CLERK, RECORDER AND ASSESSOR

I, **JOSEPH E. HOLLAND**, County Clerk, Recorder and Assessor of the County of Santa Barbara, and Registrar of Voters of said County, **DO HEREBY CERTIFY** the following:

That the City of Carpinteria initiative petition, **An Initiative Measure to Change and/or Readopt the City of Carpinteria's General Plan Designation and Zoning Designation for Two Parcels of City-Owned Property Located Adjacent to the Railroad Tracks to the West of Linden Avenue**, was filed with the City Clerk of the City of Carpinteria on November 22, 2021.

That the County Elections Office received the petition for verification of signatures on **November 22, 2021**.

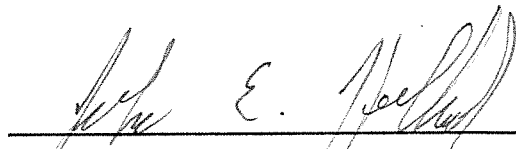
That said petition consists of **28** sections. Each section contains signatures purporting to be the signatures of qualified electors of the City of Carpinteria.

Pursuant to Elections Code Sections 9211, 9114 and 9115, the County Elections staff verified the required number of signatures by examining the records of registration in this county, current and in effect at the respective dates of such signing, to determine what number of qualified electors signed the petition. From that examination, I have determined the following facts regarding this petition:

- | | |
|---|---------------------|
| 1. Number of unverified signatures filed by proponent (raw count) | <u>1,075</u> |
| 2. Number of signatures verified | <u>1,075</u> |
| a. Number of signatures found VALID | <u>932</u> |
| b. Number of signatures found NOT VALID | <u>143</u> |

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 9th day of December, 2021.




JOSEPH E. HOLLAND
County Clerk, Recorder and Assessor



Petition Result Breakdown

City of Carp-Initiative to Change and/or Readopt Gen Plan

An Initiative Measure to Change and/or Readopt the City of Carpinteria's General Plan Designation and Zoning Designation for Two Pa

Signatures Required	808		
Raw Count	1,075		
Sample Size	1,075	Percent of Sigs Checked	Percent of Sample Size
Sigs Checked	1,075		
Sigs Not Checked	0		0.0 %
Sigs Valid	932	86.7 %	86.7 %
Sigs Invalid	143	13.3 %	13.3 %
Duplicated	15	1.4 %	1.4 %
Non-duplicate Invalids	128	12.0 %	11.9 %

RESULT ABBR	RESULT DESCRIPTION		
Approved	Approved	932	86.7 %
NotReg	Not in System at all	11	1.0 %
NRCancel	Voter found Cancelled	3	0.3 %
OutOfDist	Out of District-Individual Signature	17	1.6 %
CantIdntfy	Cannot Identify	3	0.3 %
Duplicate	Signed petition more than once	15	1.4 %
WrittenbyOther	Name, Addr, and/or Signature not by V	14	1.3 %
RegDiffAdd	Registered at a Different Address	6	0.6 %
NoResAdd	No Residence Address Given	4	0.4 %
SigNoMatch	Signatures Don't Match	9	0.8 %
IncompVoter	Only one name; and/or street, no city c	3	0.3 %
NoPrnt	Not Precinctable	1	0.1 %
DecAltered	Declaration altered somehow	57	5.3 %

STATISTICS SUMMARY	Value	% Raw	% Req		
Pages Processed	28	100.0 %			
Total Checked	1075	100.0 %	133.0 %		
Uncorrected Valid	932	86.7 %	115.3 %	Min Required (95%):	767.6
Duplicate Adjustment	0			Min Required to pass Based on Sample (110%):	888.8
Estimated Valid	932	86.7 %	115.3 %		



City of Carpinteria

COUNCIL AGENDA STAFF REPORT January 10, 2022

ITEM FOR COUNCIL CONSIDERATION

Consideration of actions in response to the City Clerk's certification of the results of the examination of the petition for the initiative measure titled "An Initiative Measure to Change and/or Readopt the City of Carpinteria's General Plan Designation and Zoning Designation for Two Parcels of City-Owned Property (APN 004-105-011 and APN 004-105-026) Located Adjacent to the Railroad Tracks to the West of Linden Avenue and to Amend the Definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land Use Element" ("Initiative"), including (1) adoption of the Initiative by ordinance or (2) calling an election and submitting the Initiative to the voters by either (a) placing the Initiative on the ballot for the City of Carpinteria's ("City") next regular election or (b) calling a special election.

STAFF RECOMMENDATION

Either (1) adopt the Initiative by adopting Ordinance No. 751 (see Attachment A) and adopting Resolution No. 6096 (see Attachment B) or (2) submit the Initiative to voters by (a) placing the Initiative on the ballot for the City's next regular election or (b) calling a special election.

If the Council votes to submit the Initiative to voters, it must take the necessary actions to place the Initiative on the ballot for the City's next regular election scheduled for November 8, 2022 or call a special election for April 12, 2022 or April 19, 2022.

Sample Motion:

I move to *(choose one of the following options)*:

Option 1: Adopt the Initiative, unchanged, by adopting Ordinance No. 751 (see Attachment A) and adopting Resolution No. 6096 (see Attachment B).

Option 2: Submit the Initiative to voters by placing it on the City's next regular election scheduled for November 8, 2022 through adoption of the following resolutions (as read by title only):

- Resolution No. 6092, calling and giving notice of a Regular Municipal Election to be held on Tuesday, November 8, 2022, for the submission of an Initiative Measure to change and/or readopt the City of Carpinteria's General Plan Designation and Zoning Designation for two parcels of City-owned property (APN 004-105-011 and APN 004-105-026) located adjacent to the railroad tracks to the west of Linden Avenue and to amend the definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land use Element (see Attachment C);
- Resolution No. 6093, requesting the Board of Supervisors of the County of Santa Barbara to consolidate the City of Carpinteria's Regular General Municipal Election to be held on November 8, 2022, with the Statewide General Election to be held on the same date pursuant to § 10403 of the Elections Code (see Attachment C);
- Resolution No. 6094, setting priorities for filing written arguments regarding an Initiative Measure to change and/or readopt the City of Carpinteria's General Plan Designation and Zoning Designation for two parcels of City-owned property (APN 004-105-011 and APN 004-105-026) located adjacent to the railroad tracks to the west of Linden Avenue and to amend the definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land use Element, directing the City Attorney to prepare an impartial analysis (see Attachment C);
- Resolution No. 6095, providing for the filing of rebuttal arguments for an Initiative Measure to change and/or readopt the City of Carpinteria's General Plan Designation and Zoning Designation for two parcels of City-owned property (APN 004-105-011 and APN 004-105-026) located adjacent to the railroad tracks to the west of Linden Avenue and to amend the definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land use Element (see Attachment C).

Option 3: Submit the Initiative to voters by calling a special election for April 12, 2022 or April 19, 2022 through adoption of the following resolutions (as read by title only):

- Resolution No. 6088, calling and giving notice of a Special Municipal Election to be held on Tuesday, April ____, 2022, for the submission of an Initiative Measure to change and/or readopt the City of Carpinteria's General Plan Designation and Zoning Designation for two parcels of City-owned property (APN 004-105-011 and APN 004-105-026) located adjacent to the railroad tracks to the west of Linden Avenue and to amend the definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land use Element (see Attachment D);

- Resolution No. 6089, requesting the Board of Supervisors of the County of Santa Barbara to render specified services to the City of Carpinteria relating to the conduct of a Special Stand-Alone Municipal Election to be held on Tuesday, April ____, 2022 (see Attachment D);
- Resolution No. 6090, setting priorities for filing written arguments regarding an Initiative Measure to change and/or readopt the City of Carpinteria's General Plan Designation and Zoning Designation for two parcels of City-owned property (APN 004-105-011 and APN 004-105-026) located adjacent to the railroad tracks to the west of Linden Avenue and to amend the definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land use Element, directing the City Attorney to prepare an impartial analysis (see Attachment D);
- Resolution No. 6091, providing for the filing of rebuttal arguments for an Initiative Measure to change and/or readopt the City of Carpinteria's General Plan Designation and Zoning Designation for two parcels of City-owned property (APN 004-105-011 and APN 004-105-026) located adjacent to the railroad tracks to the west of Linden Avenue and to amend the definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land use Element (see Attachment D).

BACKGROUND

On November 22, 2021, the proponents timely filed signatures gathered on the Initiative petition with the City Clerk. On this same date, the City Clerk performed a prima facie review and determined that the Initiative petition contained signatures from more than ten percent (10%) of the registered voters in the City and delivered the petition for verification of signatures to Santa Barbara County Elections/Registrar of Voters ("County Elections Office").¹ The Certificate of Sufficiency of the Initiative petition was presented during a previous agenda item on tonight's agenda.

Additional details, requirements, and timelines in the initiative process are summarized in the staff report regarding the City Clerk's presentation of the Certificate of Sufficiency.²

¹ The number of registered voters is determined according to the Santa Barbara County Elections report to the Secretary of State effective at the time the Notice of Intent and ballot title and summary of the proposed measure were published by the Initiative proponents on June 24, 2021. The Santa Barbara County Registrars February 10, 2021 report of registration to the Secretary of State was effective on this date. This report reported that there were 8,074 registered voters in the City. Therefore, to be found sufficient, the Initiative petition needed to have at least 808 signatures.

² The requirements and timelines associated with municipal citizen initiatives is set forth in the Election Code (see e.g., Election Code sections 9200 – 9226).

The purpose of this agenda matter is for the City Council to consider and take actions as proscribed by the California Elections Code in response to the Certificate of Sufficiency.

DISCUSSION

Upon certifying the results of the examination of the petition, the Elections Code requires the City Council to take one of the following actions:

1. Adopt the Initiative by ordinance, without alteration, at the regular meeting at which the Certification of Sufficiency is presented (January 10, 2022) or within 10 days thereafter;
2. Submit the Initiative to voters, without alteration, by placing the Initiative on the ballot at the City's next regular election (November 8, 2022) or by calling a special election (April 12, 2022 or April 19, 2022); or
3. Order a report pursuant to Elections Code 9212 ("EC 9212 Report").

The City Council previously ordered and received the EC 9212 Report on August 16, 2021 and December 13, 2021, respectively. The Council will now consider whether to (1) adopt the Initiative by ordinance or (2) submit the Initiative to the voters. If the Council chooses to submit the Initiative to the voters, it will also need to take other election-related actions that are further described in this staff report.

Adoption of Initiative by Ordinance

Should the Council wish to adopt the Initiative as drafted, it may do so by adopting Ordinance No. 751. If the Initiative is adopted, the City Council must also adopt Resolution No. 6096 (see Attachment B) to submit Ordinance No. 751 to the Coastal Commission for review and certification since it amends the City's General Plan/Local Coastal Land Use Plan and Zoning Code. From this point forward, the approval and certification timelines for initiative amendments are generally the same as those that would apply to City Council-proposed amendments to the General Plan/Local Coastal Land Use Plan. However, the City may also need to submit the ordinance to the state Department of Housing and Community Development for purposes of assessing compliance with the Housing Crisis Act of 2019. Certification or approval of the ordinance by these agencies may affect the effective date of the ordinance.

Submission of Initiative to Voters

Should the Council choose to submit the Initiative to a vote of the City electorate, the Council must choose to (a) place the Initiative on the ballot at the City's next regular election occurring not less than 88 days after the date of the order of election or (b) call a special election held not less than 88 days nor more than 103 days after the order of election.

Regular Election (November 8, 2022)

The City's next regular election—scheduled for Tuesday, November 8, 2022—meets the requirement for being more than 88 days from today (i.e., the date the Council receives the Certificate of Sufficiency).

The regular election on November 8, 2022 would be consolidated with the Statewide General Election. Sections 10400 through 10418 of the California Election Code provide the procedure for consolidating the City's regular election with the Statewide General Election. The procedure requires the City Council to adopt a resolution requesting consolidation with the County at the same time the resolution calling the election is adopted. Resolution No. 6093, attached as Attachment C, authorizes the County Elections Office to conduct the election on behalf of the City and to canvass the results for the November 8, 2022 regular municipal election consolidated with the Statewide General Election.

Special Election (April 12, 2022 or April 19, 2022)

Alternatively, the Council could choose to call a special election for the purpose of submitting the Initiative to the voters before the City's next regular election.³ If the City Council wishes to call a special election, it must be held not less than 88 days nor more than 103 days after the order of election (e.g., between April 8, 2022 and April 23, 2022). Based on this statutory timeframe (and the requirement that all elections be held on Tuesdays), the City Council could call a special election for April 12, 2022 or April 19, 2022. Either of these April 2022 special election dates would be stand-alone elections.

Staff has discussed these potential special election dates with staff of the County Elections Office and they have advised the City that due to the Elections Office's obligation to oversee the County redistricting process, it would not be able to conduct a special election in April 2022 on behalf of the City.

Should the Council determine to submit the Initiative to the voters at a special election, this election would be City-run. A City-run election would require dedication of additional staff to assist with City Clerk duties, engagement of an election management consultant to support staff and provide expertise, and contracting with outside vendors to assist in the conduct of the election process. Staff is currently envisioning that the staff support to the City Clerk's office would be provided by temporarily reassigning at least one existing employee. Outside consultants would be engaged to assist the City in managing the election and voter data, printing and tabulating the ballots, and setting up polling places, recruiting/training poll workers and canvass boards.

As a part of its research into a City-run election, staff consulted with the County Elections Office, other cities that have recently run their own elections, and an elections

³ Although pursuant to Ab 37, all registered voters will receive a mailed ballot, staff has determined that the special election will not be an all-mail ballot election per Elections Code Sections 4000 and 4004.

management consultant. As a result of these discussions, staff has gathered several proposals for assisting the City with running a special election in April if it chooses to pursue this option.

County Elections, while not running the special election on behalf of the City, would still need to provide certain services to the City such as providing the City with the voter registration data, list of polling places and poll workers the County uses for their elections, and precinct supplies and election equipment. Staff also proposes to engage an election management consultant to advise the City on conducting any election this year, including overseeing elections management services, planning and logistics of the election, precinct officer training, pre-canvass logistics, election night worker training, and official canvassing. The City's election management consultant is not available in-person to assist the City on the April 12, 2022 election day; therefore, if the Council should call for a special election, staff recommends the Council select the April 19, 2022 election date as the consultant will be available in-person on that day.

The costs associated with running a special election are further discussed in the Financial Consideration section below.

Additional Election-Related Actions

Should the Council determine to submit the Initiative to the voters, it should set priorities for filing written argument(s) regarding the Initiative, provide for the filing of rebuttal arguments (rebuttal arguments are optional), and direct the City Attorney to prepare an impartial analysis.

Arguments and Rebuttals

The Elections Code also allows for the preparation of both arguments and rebuttals for and against the proposed Initiative. Specifically, the Elections Code authorizes proponents of the Initiative to file an argument in favor of the Initiative and the City Council to file an argument against the Initiative. Arguments for and against the Initiative must be submitted within specific deadlines, which are dependent on the desired election date.

If more than one argument for or against the Initiative is submitted to the City Clerk within the prescribed timeframe, the Election Code authorizes the City Clerk to select one of the arguments in favor of the Initiative and one of the arguments against the Initiative for printing and distributing to the voters. In selecting the argument, the City Clerk shall give preference and priority in the order named to the arguments of the following:

1. The City Council or members of the City Council authorized by the City Council.
2. The individual voter, or bona fide association of citizens, or combination of voters and associations, who are bona fide sponsors or proponents of the measure.
3. Bona fide association of citizens.
4. Individual voters who are eligible to vote on the measure.

Resolution Nos. 6094 and 6090 (attached hereto as Attachments C and D) set forth the deadlines for submitting arguments for and against the Initiative to the City Clerk for the City's regular election in November 2022 and a potential special election in April 2022, respectively.

The Election Code also provides for the Council to allow for rebuttal arguments, which is optional. Resolution Nos. 6095 and 6091 (attached hereto as Attachments C and D) set forth the deadlines for submitting rebuttal arguments to the City Clerk for the City's regular election in November 2022 and a potential special election in April 2022, respectively.

City Attorney's Impartial Analysis

Following the calling of an election, California Election Code Section 9280 authorizes the City Council to direct the City Clerk to transmit a copy of the Initiative to the City Attorney for preparation of an impartial analysis. This analysis will be printed in the ballot pamphlet immediately preceding the arguments for and against the Initiative.

Resolution Nos. 6095 and 6091 direct the City Attorney to prepare an impartial analysis of the Initiative in preparation for its placement on the ballot during the City's regular election on November 8, 2022 or during a special election in April 2022, respectively.

The City Council may also choose to submit one or more measures at the same election. The measure receiving the highest number of affirmative votes would prevail.

POLICY CONSISTENCY

The City Council actions related to either adopting the Initiative by ordinance or submitting the Initiative to the voters are consistent with both the City's policies and procedures as well as state law.

FINANCIAL CONSIDERATIONS

Based on discussion with the County Elections Office, staff estimates that placing the Initiative on the ballot for the City's next regular election on November 8, 2022 (which will be consolidated with the Statewide General Election) would add costs of approximately \$20,000 to the estimated standard cost for a consolidated election.

Should the Council choose to call a special stand-alone election in April 2022, the costs are likely to be much higher.⁴ A rough estimate of the minimum cost for the City to run a stand-alone special election is \$74,400, which would include costs for contracting with outside consultants for election management services, laying out and calculating of

⁴ As discussed above, the County Elections Office has notified the City that they are unable to assist the City in running a special election in April. As a result, if the Council moves forward with this option, the City would have to run the election by itself. However, as the City does not have the staffing capacity or expertise to conduct an election by itself it would have to contract with multiple elections consultants and/or contractors to assist with this process.

ballots, and printing and mailing of ballots, postage, and use of a voting system. Staff has initiated discussions and received proposals from several potential vendors.

Election Date	April 12, 2022 or April 19, 2022	November 8, 2022
Estimated Costs	Special Stand-Alone Election	Added Cost for Regular Consolidated Election
County Invoice	TBD	\$20,000 ⁵
Elections Consultant	\$19,900	N/A
Ballot Printing/Mailing ⁶	\$22,300	N/A
Postage	\$4,500	N/A
Voting System	\$27,700	N/A
TOTAL COST	At least \$74,400	\$20,000

If the initiative is either approved by the Council by Ordinance or approved by voters, staff estimates there will be costs for implementation. This includes consulting staff costs for processing General Plan/Local Coastal Plan and/or Zoning Code amendments necessary to carry out the initiative.

LEGAL AND RISK MANAGEMENT CONSIDERATIONS

There are additional risks associated with the City running its own special election (without assistance from the County Elections Office). Staff believes that it could mitigate risks with the additional assistance outlined above.

The City Attorney's Office helped prepare this staff report and the related attachments and will be available at the meeting to answer questions.

⁵ County Elections Office estimates 80% of cost for regular consolidated election to be attributed to the measure. County estimate for regular consolidated election including measure and election of Councilmembers is \$18,000 - \$25,000.

⁶ The estimate does not include postage, taxes, translations or freight.

OPTIONS

Option 1: Adopt the Initiative, unchanged, by adopting Ordinance No. 751 (see Attachment A) and adopt Resolution No. 6096 (see Attachment B).

Option 2: Submit the Initiative to voters by placing it on the City's next regular election scheduled for November 8, 2022 through adoption of the following resolutions shown in Attachment C (as read by title only):

- Resolution No. 6092, calling and giving notice of a Regular Municipal Election to be held on Tuesday, November 8, 2022, for the submission of an Initiative Measure to change and/or readopt the City of Carpinteria's General Plan Designation and Zoning Designation for two parcels of City-owned property (APN 004-105-011 and APN 004-105-026) located adjacent to the railroad tracks to the west of Linden Avenue and to amend the definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land use Element (see Attachment C);
- Resolution No. 6093, requesting the Board of Supervisors of the County of Santa Barbara to consolidate the City of Carpinteria's Regular General Municipal Election to be held on November 8, 2022, with the Statewide General Election to be held on the same date pursuant to § 10403 of the Elections Code (see Attachment C);
- Resolution No. 6094, setting priorities for filing written arguments regarding an Initiative Measure to change and/or readopt the City of Carpinteria's General Plan Designation and Zoning Designation for two parcels of City-owned property (APN 004-105-011 and APN 004-105-026) located adjacent to the railroad tracks to the west of Linden Avenue and to amend the definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land use Element, directing the City Attorney to prepare an impartial analysis (see Attachment C);
- Resolution No. 6095, providing for the filing of rebuttal arguments for an Initiative Measure to change and/or readopt the City of Carpinteria's General Plan Designation and Zoning Designation for two parcels of City-owned property (APN 004-105-011 and APN 004-105-026) located adjacent to the railroad tracks to the west of Linden Avenue and to amend the definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land use Element (see Attachment C).

Option 3: Submit the Initiative to voters by calling a special election for April 12, 2022 or April 19, 2022 through adoption of the following resolutions shown in Attachment D (as read by title only):

- Resolution No. 6088, calling and giving notice of a Special Municipal Election to be held on Tuesday, April ____, 2022, for the submission of

an Initiative Measure to change and/or readopt the City of Carpinteria's General Plan Designation and Zoning Designation for two parcels of City-owned property (APN 004-105-011 and APN 004-105-026) located adjacent to the railroad tracks to the west of Linden Avenue and to amend the definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land use Element (see Attachment D);

- Resolution No. 6089, requesting the Board of Supervisors of the County of Santa Barbara to render specified services to the City of Carpinteria relating to the conduct of a Special Stand-Alone Municipal Election to be held on Tuesday, April ___, 2022 (see Attachment D);
- Resolution No. 6090, setting priorities for filing written arguments regarding an Initiative Measure to change and/or readopt the City of Carpinteria's General Plan Designation and Zoning Designation for two parcels of City-owned property (APN 004-105-011 and APN 004-105-026) located adjacent to the railroad tracks to the west of Linden Avenue and to amend the definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land use Element, directing the City Attorney to prepare an impartial analysis (see Attachment D);
- Resolution No. 6091, providing for the filing of rebuttal arguments for an Initiative Measure to change and/or readopt the City of Carpinteria's General Plan Designation and Zoning Designation for two parcels of City-owned property (APN 004-105-011 and APN 004-105-026) located adjacent to the railroad tracks to the west of Linden Avenue and to amend the definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land use Element (see Attachment D).

PRINCIPAL PARTIES EXPECTED AT MEETING

Principal parties at the meeting include the proponents of the Initiative.

ATTACHMENTS

Attachment A: Proposed Ordinance No. 751 – If Adopted by City Council

Attachment B: Resolution No. 6096, directing Ordinance No. 751 be transmitted to the California Coastal Commission for filing pursuant to Public Resources Code §30510 and in accordance with §13551 of Title 14 the California Code of Regulations

Attachment C: Resolutions pertaining to November 8, 2022 General Consolidated Municipal Election

- Resolution No. 6092, calling and giving notice of a Regular Municipal Election to be held on Tuesday, November 8, 2022, for the submission of an Initiative Measure to change and/or readopt the City of Carpinteria's General Plan Designation and Zoning Designation for two parcels of City-owned property (APN 004-105-011 and APN 004-105-026) located adjacent to the railroad tracks to the west of Linden Avenue and to amend the definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land use Element;
- Resolution No. 6093, requesting the Board of Supervisors of the County of Santa Barbara to consolidate the City of Carpinteria's Regular General Municipal Election to be held on November 8, 2022, with the Statewide General Election to be held on the same date pursuant to § 10403 of the Elections Code;
- Resolution No. 6094, setting priorities for filing written arguments regarding an Initiative Measure to change and/or readopt the City of Carpinteria's General Plan Designation and Zoning Designation for two parcels of City-owned property (APN 004-105-011 and APN 004-105-026) located adjacent to the railroad tracks to the west of Linden Avenue and to amend the definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land use Element, directing the City Attorney to prepare an impartial analysis;
- Resolution No. 6095, providing for the filing of rebuttal arguments for an Initiative Measure to change and/or readopt the City of Carpinteria's General Plan Designation and Zoning Designation for two parcels of City-owned property (APN 004-105-011 and APN 004-105-026) located adjacent to the railroad tracks to the west of Linden Avenue and to amend the definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land use Element.

Attachment D: Resolutions pertaining to April 12, 2022 or April 19, 2022 Special Stand-Alone Municipal Election

- Resolution No. 6088, calling and giving notice of a Special Municipal Election to be held on Tuesday, April ____, 2022, for the submission of an Initiative Measure to change and/or readopt the City of Carpinteria's General Plan Designation and Zoning Designation for two parcels of City-owned property (APN 004-105-011 and APN 004-105-026) located adjacent to the railroad tracks to the west of Linden Avenue and to amend the

definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land use Element;

- Resolution No. 6089, requesting the Board of Supervisors of the County of Santa Barbara to render specified services to the City of Carpinteria relating to the conduct of a Special Stand-Alone Municipal Election to be held on Tuesday, April __, 2022;
- Resolution No. 6090, setting priorities for filing written arguments regarding an Initiative Measure to change and/or readopt the City of Carpinteria's General Plan Designation and Zoning Designation for two parcels of City-owned property (APN 004-105-011 and APN 004-105-026) located adjacent to the railroad tracks to the west of Linden Avenue and to amend the definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land use Element, directing the City Attorney to prepare an impartial analysis;
- Resolution No. 6091, providing for the filing of rebuttal arguments for an Initiative Measure to change and/or readopt the City of Carpinteria's General Plan Designation and Zoning Designation for two parcels of City-owned property (APN 004-105-011 and APN 004-105-026) located adjacent to the railroad tracks to the west of Linden Avenue and to amend the definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land use Element.

Staff contact:

Brian C. Barrett, Acting City Clerk
(805) 755-4446; brianb@ci.carpinteria.ca.us



Signature

Reviewed by: Dave Durflinger, City Manager
(805) 755-4400, daved@ci.carpinteria.ca.us



Signature

Attachment A

Proposed Ordinance No. 751

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA
ADOPTING AN INITIATIVE MEASURE TO CHANGE AND/OR READOPT THE CITY
OF CARPINTERIA'S GENERAL PLAN DESIGNATION AND ZONING DESIGNATION
FOR TWO PARCELS OF CITY-OWNED PROPERTY (APN 004-105-011 AND APN
004-105-026) LOCATED ADJACENT TO THE RAILROAD TRACKS TO THE WEST
OF LINDEN AVENUE AND TO AMEND THE DEFINITION OF THE OPEN
SPACE/RECREATION (OSR) LAND USE CATEGORY OF THE GENERAL PLAN
LAND USE ELEMENT**

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ORDINANCE NO. 751

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA ADOPTING AN INITIATIVE MEASURE TO CHANGE AND/OR READOPT THE CITY OF CARPINTERIA'S GENERAL PLAN DESIGNATION AND ZONING DESIGNATION FOR TWO PARCELS OF CITY-OWNED PROPERTY (APN 004-105-011 AND APN 004-105-026) LOCATED ADJACENT TO THE RAILROAD TRACKS TO THE WEST OF LINDEN AVENUE AND TO AMEND THE DEFINITION OF THE OPEN SPACE/RECREATION (OSR) LAND USE CATEGORY OF THE GENERAL PLAN LAND USE ELEMENT

The City Council of the City of Carpinteria finds and declares as follows:

WHEREAS, the City of Carpinteria ("City") owns two parcels of real property, "Parcel A" (APN004-105-011) and "Parcel B" (APN 004-105-026) (collectively, "Parcels"), located adjacent to the railroad tracks to the west of Linden Avenue; and

WHEREAS, Parcel A is currently zoned Commercial Planned Development with a General Plan land use category designation of General Commercial; and

WHEREAS, Parcel B is currently zoned Recreation ("REC") with a General Plan land use category designation of Open Space / Recreation ("OSR"); and

WHEREAS, on June 4, 2021, a Notice of Intention to Circulate Petition ("Petition") was filed in the City Clerk's Office for an initiative measure seeking to change and/or readopt the General Plan designation and Zoning designation for the Parcels and amend the definition of the OSR Land Use Category of the General Plan Land Use Element ("Initiative"); and

WHEREAS, on June 18, 2021, the City Attorney prepared and provided an official ballot title and summary for the proposed Initiative for use by the proponents for publication and circulation of the Initiative petition; and

WHEREAS, on November 22, 2021, the Initiative petition was filed with the City Clerk and promptly transmitted to the Santa Barbara County Elections/Registrar of Voters ("County Elections Office") for signature verification; and

WHEREAS, based on an examination of all 1,075 signatures submitted, the County Elections Office established that 932 signatures were valid and the Initiative petition is sufficient; and

WHEREAS, January 10, 2022, the City Clerk presented the City Council with the Certificate of Sufficiency of the Initiative petition; and

WHEREAS, having already received a 9212 Report analyzing the potential effects of the Initiative, if an initiative is signed by not less than ten percent of the voters of the City Election Code Section 9215 requires the City Council to take one of the following actions:

(a) Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.

(b) Submit the ordinance, without alteration, to the voters at the City's next regular election, occurring on November 8, 2022.

(c) Submit the ordinance, without alteration, to the voters at a special election in April 2022 pursuant to Elections Code Section 1405.

WHEREAS, the City Council's approval of the Ordinance No. 751 is exempt from the California Environmental Quality Act (CEQA) pursuant to the California Supreme Court decision in Tuolumne Jobs & Small Business Alliance v. Superior Court (2014) 59 Cal.4th 1029 and the Initiative Ordinance does not constitute a "project" for the purposes of CEQA under Section 15378(b)(3) of the CEQA Guidelines.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CARPINTERIA DOES ORDAIN AS FOLLOWS:

SECTION 1. INCORPORATION OF RECITALS

The above recitals are true and correct and are incorporated herein, and are each relied upon independently by the City Council for its adoption of this Ordinance.

SECTION 2.

The City Council hereby approves the Initiative, attached as Exhibit 1 and incorporated herein.

SECTION 3.

Staff is directed to submit the Initiative for approval by the California Coastal Commission and the Department of Housing and Community Development, as determined necessary. Subsequent to their approval, staff is authorized to incorporate the provisions of the Initiative into the General Plan and Zoning Ordinance, as appropriate, and to make other corresponding changes as necessary to implement the Initiative.

PASSED, APPROVED AND ADOPTED on the 10th day of January, 2022, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

Mayor, City of Carpinteria

ATTEST:

Acting City Clerk, City of Carpinteria

I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held on January 10, 2022.

Acting City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria

EXHIBIT 1 TO ORDINANCE NO. 751

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

The people of the City of Carpinteria do ordain as follows:

Section 1. Title.

This initiative measure ("Initiative") shall be known as the "Save Our Downtown and Beach Parking Lot Initiative."

Section 2. Findings and Purpose.

A. Findings. The people of the City of Carpinteria find and declare the following:

- 1. The approximately 1.15-acre property located at 499 Linden Avenue (APN 004-105-011), labeled as Parcel A, Downtown and Beach Parking Lot, on Exhibits A, B & C, currently consists of City Parking Lot #3 or Downtown and Beach Parking Lot. The City of Carpinteria's General Plan classifies this property as General Commercial. The property is adjacent to the Carpinteria Community Garden Park.**
- 2. This property is owned by the City of Carpinteria. On May 18, 1989 the City accepted this property from Southern Pacific (SPTC Holding, Inc.) for public purposes, as shown on Exhibit D to this Initiative.**
- 3. The approximately 1.27-acre property located at 399 Linden Avenue on the south side of the railroad tracks (APN 004-105-026), labeled as Parcel B, Coastal Open Space Corridor, on Exhibits A, B & C, currently consists of Open Space. The General Plan designates these properties as Open Space/Recreation. The property was acquired by the City in 2013.**
- 4. The General Plan contains policies to protect, preserve and enhance local natural resources, to provide adequate parking for the public and for public coastal access, to avoid placing development where exposed to hazards of transportation corridors, and for ensuring that zoning and development is consistent with zoning and development on adjacent and nearby parcels.**
- 5. The purpose of the General Plan land use designation is to establish the type and intensity of land uses on properties consistent with their designation in the General Plan Land Use Element and Land Use Map. The zoning designations for each property must be consistent with the General Plan designation.**
- 6. The voters seek to preserve the Downtown and Beach Parking Lot for its current use as a public parking lot, and to preserve the Coastal Open Space Corridor in its current open space/habitat corridor status, and thereby wish to propose this Initiative, which will re-designate and re-zone these properties, by Initiative, so that their zoning is fixed and cannot be changed absent a vote of the people.**

B. Purpose. The purpose of this Initiative is to amend the General Plan designation and zoning of the Downtown and Beach Parking Lot and Coastal Open Space Corridor in

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

order to maintain the current use of those sites. The General Plan designations and zoning for these sites will create a consistency of designations and zoning across these nearby sites, also including the Carpinteria Community Garden Park. The Downtown and Beach Parking Lot will remain zoned for public parking use and purposes, but not for other commercial uses, with allowance for limited residential-only use consistent with the Residential overlay zone as required by California Government Code section 66330, subdivision (b)(1)(A).

Section 3. City of Carpinteria General Plan Amendments

A. The voters hereby amend the General Plan Diagram (excerpt shown in Exhibit B) of the City of Carpinteria to:

1. Change the General Plan designation of the Downtown and Beach Parking Lot property from General Commercial (GC), to Open Space Recreation (OSR).
2. Re-adopt, by this Initiative, the Open Space Recreation (OSR) designation on the Coastal Open Space Corridor property, as shown on Exhibit B.

B. The voters hereby amend the text of Land Use Map descriptions as follows (additions shown in underline, non-underlined text is not being amended and is shown for context only):

1. Open Space/Recreation (OSR) The OSR land use category is intended to provide recreational areas (passive or active), including existing parking, City parks, beaches, golf courses and related uses. It also identifies open space areas. The OSR land use category may also provide for residential uses, only if the property is included in the Residential overlay zone.

Section 4. Zoning Amendments

The voters hereby amend the Zoning Map (excerpt shown in Exhibit C) of the City of Carpinteria, to:

1. Change the zoning on the Downtown and Beach Parking Lot property, as shown on Exhibit C, from CPD to REC/R.
2. Re-adopt, by this Initiative, the zoning on the Coastal Open Space Corridor property, as shown on Exhibit C, as REC.

Section 5. Effect of Initiative on General Plan Land Use Classification and Zoning on Subject Properties Only

This Initiative adopts General Plan designations and zoning designations only for the Downtown and Beach Parking Lot and Coastal Open Space Corridor properties, which are specifically identified in this Initiative. The Initiative does not adopt, alter, or change any other land use classifications or zoning on any other real property in the City of Carpinteria.

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Section 6. Implementation

- A. This Initiative is considered adopted and effective upon the earliest date legally possible after either the City Council adopts the Initiative as law upon its qualification or, if it is placed on the ballot, the elections official certifies the vote on the Initiative by the voters of the City of Carpinteria. Upon the effective date of this Initiative, the City is directed to promptly take all appropriate actions needed to implement this Initiative, including but not limited to taking any administrative steps necessary to update any and all City maps, figures, and any other documents maintained by the City so they conform to the legislative policies set forth in this Initiative.
- B. Upon the effective date of this Initiative, the General Plan amendments of Section 3 of this Initiative are hereby inserted into the General Plan; except that if the four amendments of any mandatory element of the General Plan permitted by state law for any calendar year have already been utilized in the year in which this Initiative becomes effective, the General Plan amendments set forth in this Initiative shall be the first amendments inserted into the General Plan on January 1 of the next year. The City may reorganize, renumber, and/or reformat the General Plan provisions of Section 3 of this Initiative, provided that the full text is inserted into the General Plan without alteration.
- C. The General Plan in effect on the date of filing of the Notice of Intent to Circulate this Initiative ("Filing Date"), and the General Plan as amended by this Initiative, comprise an integrated, internally consistent, and compatible statement of policies for the City. To ensure that the City's General Plan remains an integrated, internally consistent, and compatible statement of policies for the City, any provision of the General Plan that is adopted between the Filing Date and the effective date of the General Plan amendments adopted by this Initiative shall, to the extent that such interim-enacted provision is inconsistent with or would diminish, render invalid, defeat, or impair the General Plan amendments adopted by this Initiative, be amended as soon as possible and in the manner and time required by state law to ensure consistency between the provisions adopted by this Initiative and other elements of the General Plan.
- D. Upon the effective date of this Initiative, the provisions of Section 4 (Zoning Amendments) of this Initiative are hereby inserted into the Carpinteria Municipal Code. The City may reorganize, renumber, and/or reformat the provisions of Section 4 of this Initiative, provided that the full text is inserted into the Municipal Code without alteration.

Section 7. Effect of Other Measures on the Same Ballot

It is the voters' intent to comprehensively establish the potential future uses and development of the specific properties that are subject to the Initiative, including preservation of Coastal Open Space Corridor in its current open space state and the preservation of the Downtown and Beach Parking Lot for continued parking uses. To ensure that this intent is not frustrated, and in the event this Initiative is not adopted by the City Council as law, this Initiative shall be presented to the voters as an alternative to, and with the express intent that it will compete with, any and all

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

voter initiatives or City-sponsored measures placed on the same ballot as this Initiative and which, if approved, would regulate the use or development of the subject properties in any manner whatsoever (each, a "Conflicting Initiative"). In the event that this Initiative and one or more Conflicting Initiatives are adopted by the voters at the same election, then it is the voters' intent that only that measure that receives the greatest number of affirmative votes shall control in its entirety and said other measure or measures shall be rendered void and without any legal effect. In no event shall this Initiative be interpreted in a manner that would permit its operation in conjunction with the non-conflicting provisions of any Conflicting Initiative. If this Initiative is approved by the voters but superseded by law in whole or in part by any other Conflicting Initiative approved by the voters at the same election, and such Conflicting Initiative is later held invalid, this Initiative shall be self-executing and given full force of law.

Section 8. Interpretation and Severability

A. This Initiative must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Initiative. The voters declare that this Initiative, and each section, sub-section, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Initiative that can be given effect without the invalid application.

B. If any portion of this Initiative is held by a court of competent jurisdiction to be invalid, we the People of the City of Carpinteria indicate our strong desire that: (i) the City Council use its best efforts to sustain and re-enact that portion, and (ii) the City Council implement this Initiative by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Initiative, including adopting or reenacting any such portion in a manner consistent with this Initiative.

C. The Proponents of this Initiative, and any committee formed to support this Initiative, shall have standing to enforce and defend the provisions of this Initiative in any judicial forum, as necessary.

D. This Initiative must be broadly construed in order to achieve the purposes stated above. It is the intent of the voters that the provisions of this Initiative be interpreted or implemented by the City and others in a manner that facilitates the purpose set forth in this Initiative.

Section 9. Amendment

The provisions of this Initiative can be amended or repealed only by a majority of voters of the City of Carpinteria voting in an election held in accordance with state law.

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Section 10. Inconsistent Provisions Repealed

Any provisions of the City of Carpinteria Municipal Code, or any other ordinances of the City inconsistent with this Initiative, to the extent of such inconsistencies and no further, are hereby repealed. This Initiative expresses the voters' intent to eliminate any possible inconsistency between existing code provisions and the amended General Plan designations and zoning designations.

Section 11. Exhibits

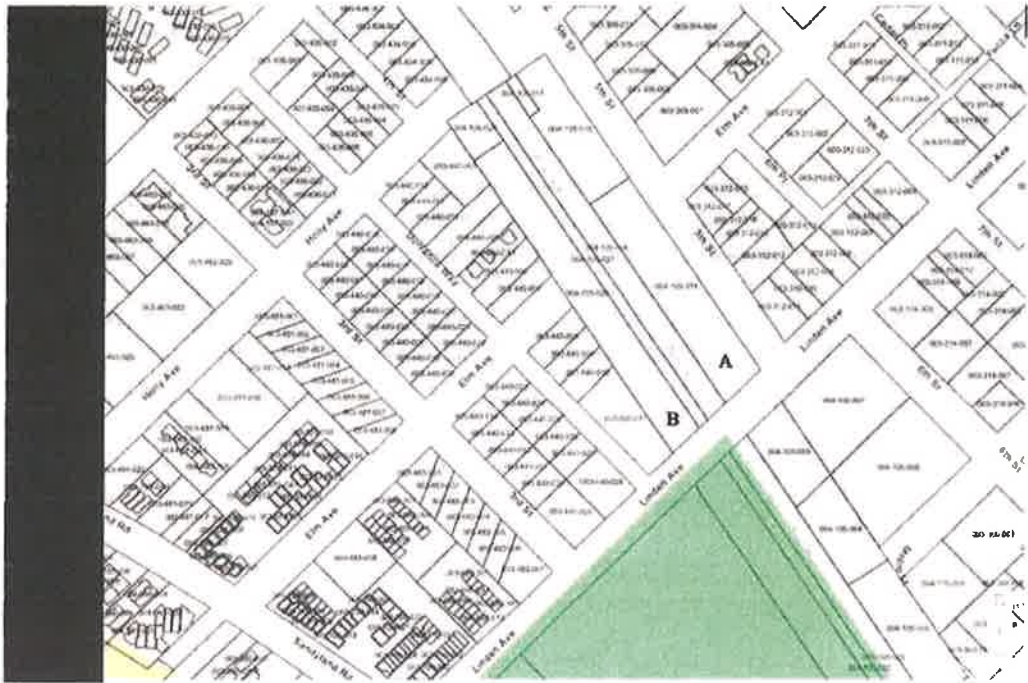
The following Exhibits A-D are provided for reference for the voters and incorporated by reference herein. The maps are intended to provide context and information regarding the location and current General Plan designations and zoning designations of the Downtown and Beach Parking Lot and the Coastal Open Space Corridor, as well as the designations of surrounding properties. The inclusion of the maps does not amend the General Plan or zoning designations of any property other than those specifically amended in this Initiative.

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Exhibit A
Identification of Affected Properties

Obtained from Santa Barbara County Geographic Information System.

Santa Barbara County Land Use and Zoning Map



Parcel Label	APN	Referenced in Initiative By Name
A	004-105-011	Downtown and Beach Parking Lot
B	004-105-026	Coastal Open Space Corridor

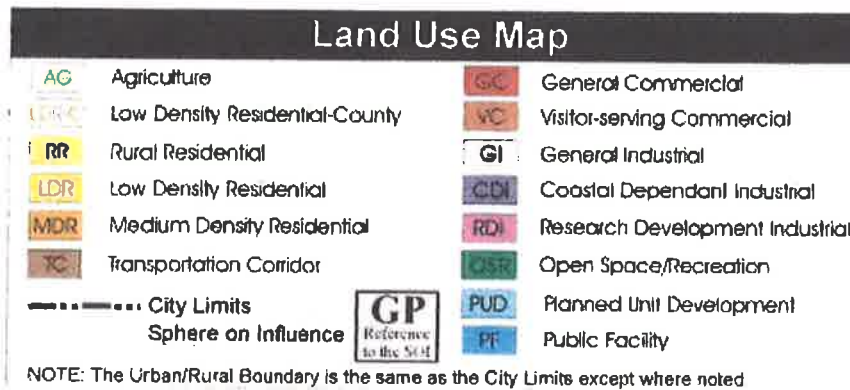
INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Exhibit B General Plan Designations



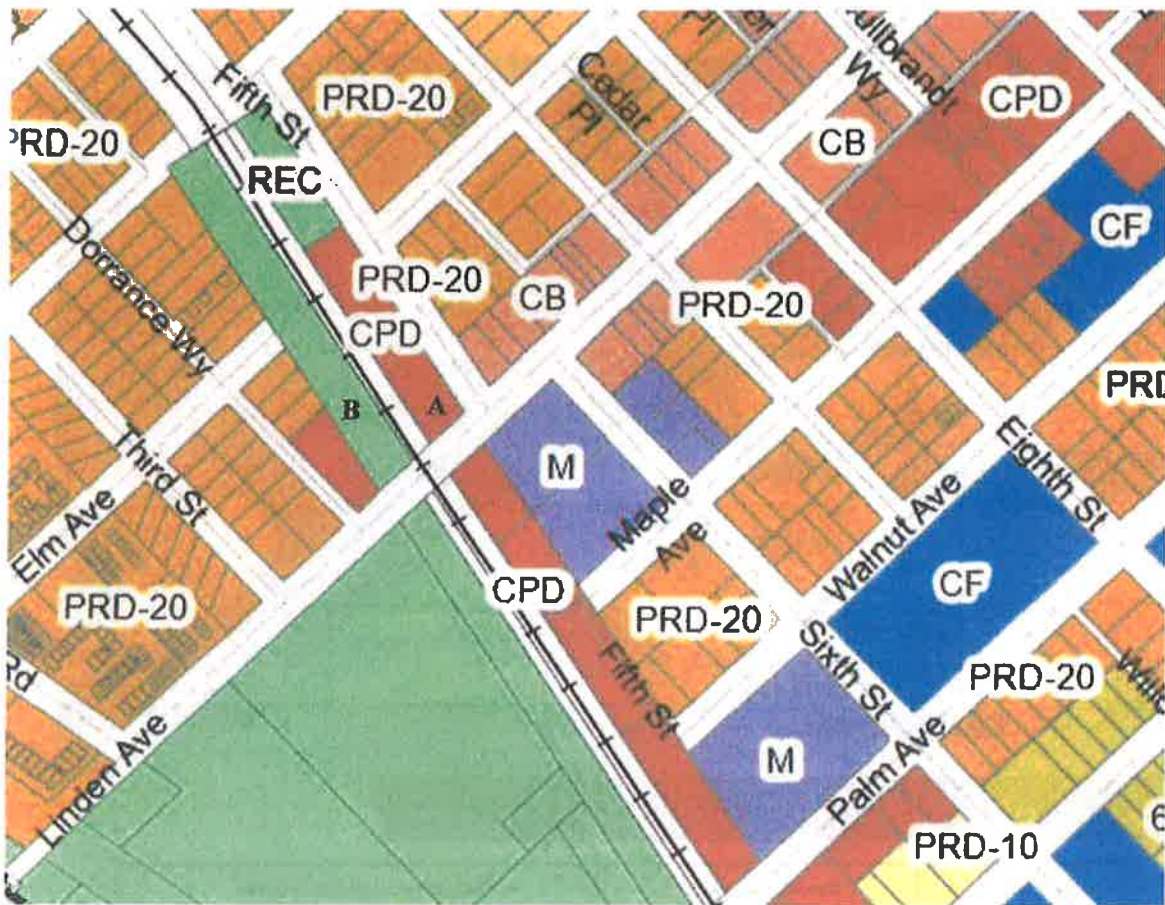
Land Use Map

Parcel Label	Current Designation	Designation Adopted by Initiative
A	GC	OSR
B	OSR	OSR



INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Exhibit C
Zoning Designations



Parcel Label	Current Designation	Designation Adopted by Initiative
A	CPD	REC/R
B	REC	REC

ZONING DISTRICTS

Residential

- PRD-13 Planned Residential Development District - Maximum Density 13 Units/Acre
- 8-R-1 Single Family Residential District - Minimum Lot Size 8,000 square feet
- PRD-10 Planned Residential Development District - Maximum Density 10 Units/Acre
- PUD Planned Unit Development District
- 7-R-1 Single Family Residential District - Minimum Lot Size 7,000 square feet
- PRD-20 Planned Residential Development District - Maximum Density 20 Units/Acre
- 6-R-1 Single Family Residential District - Minimum Lot Size 6,000 square feet
- 4-R-1 Single Family Residential District - Minimum Lot Size 4,000 square feet
- 20-R-1 Single Family Residential District - Minimum Lot Size 20,000 square feet
- PRD-4 Planned Residential Development District - Maximum Density 4 Units/Acre
- PRD-18 Planned Residential Development District - Maximum Density 18 Units/Acre
- PUD-4.6 Planned Unit Development District - Maximum Density 4.6 Units/Acre
- PUD-5 Planned Unit Development District - Maximum Density 5 Units/Acre
- PRD-15 Planned Residential Development District - Maximum Density 15 Units/Acre
- MHP Mobile Home Park Planned Development District
- CITY BOUNDARY

Industrial

- M General Industrial District
- M-CD Coastal Industrial District
- M-RP Industrial/ Research Park District

Commercial

- CPD Commercial Planned Development District
- CB Central Business District
- CPD/R Commercial Planned Development District/ Residential Overlay
- RES Resort District

Other

- UT Public Utility District
- A-10 Agricultural - Minimum 10-Acre Parcel
- REC Recreation District
- A-5 Agricultural - Minimum 5-Acre Parcel
- CF Community Facility District

Schools

- Elementary School
- High School
- Middle School

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Exhibit D

Corporation Grant Deed and Certificate of Acceptance for Downtown and Beach Parking Lot

RECORDING REQUESTED BY

TICOR TITLE INS.
#200795-KAT

AND WHEN RECORDED MAIL TO

ALAN R. COATES, JR.
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93013

MAIL TAX STATEMENTS TO

same as above

89-034263

Recorded
Official Records
County of
Santa Barbara
Kenneth A. Pettit
Recorder
8:00am 25-May-89

Rec Fee .00
Total .00

ML 3

NO TAX DUE

NO FEE

APN 13-010-04

CORPORATION GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, SPTC HOLDING, INC., a corporation organized under the laws of the State of Delaware, does hereby GRANT to CITY OF CARPINTERIA, a Municipal corporation, the real property in the City of Carpinteria, County of Santa Barbara, State of California, described as

Parcel One of Parcel Map No. 25,143, in the City of Carpinteria, County of Santa Barbara, State of California as per Parcel Map filed in Book 43 Pages 62 and 63 of Parcel Maps, in the Office of the County Recorder of said County.

Grantor hereby excepts from the property hereby conveyed and reserves unto itself, its successors and assigns, all minerals and mineral rights, interests, and royalties, including without limiting the generality thereof, oil, gas and other hydrocarbon substances, as well as metallic or other solid minerals, in and under said property; however, Grantor or its successors and assigns shall not have the right for any purpose whatsoever to enter upon, into or through the surface of said property in connection therewith.

This Grant is made subject to all covenants, conditions, restrictions, exceptions, easements, rights of way, rights of access, agreements, reservations, encumbrances, liens and other matters as

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

- 2 -

the same may be of record; any matter which would be disclosed by survey, investigation or inquiry; and any tax, assessment or other governmental lien against said property.

Dated: MAY 18, 1989

SPTC HOLDING, INC.,
a Delaware corporation

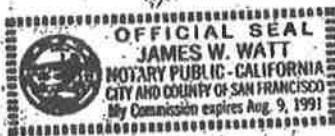
By: [Signature]
Title: Vice President - Real Estate

By: [Signature]
Title: Secretary

STATE OF CALIFORNIA
City and County of San Francisco } s.s.
On this 18th day of May

in the year One Thousand Nine Hundred and Eighty Nine
before me, JAMES W. WATT, a Notary Public in and for the City and County of San Francisco, State of California, personally appeared

(Signature Public Notary)



Corporation

My Commission Expires August 9, 1991

S.D. Steel
personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the Vice President, and
T. E. O'Donnell II personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the Secretary of the Corporation that executed the within instrument and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.
WITNESS my hand and official seal.

[Signature]
Notary Public in and for the City and County of San Francisco, State of California.

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

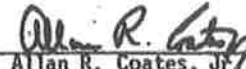
CERTIFICATE OF ACCEPTANCE
Government Code Section 27281

This is to Certify, that the City of Carpinteria, grantee herein, hereby accepts for public purposes the real property, or interest therein, conveyed by the within deed and consents to the recordation thereof.

In Witness Whereof, I have hereunto set my hand this 18th day of May, 1989.

CITY OF CARPINTERIA

By:


Allan R. Coates, Jr.
City Manager/Clerk

STATE OF CALIFORNIA }
COUNTY OF SANTA BARBARA } §§

On May 18, 1989, before me, Deputy City Clerk for the CITY OF CARPINTERIA, personally appeared Allan R. Coates, Jr., known to me to be the City Manager of the CITY OF CARPINTERIA, and known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same on behalf of the CITY OF CARPINTERIA.


Jayne A. Diaz
Deputy City Clerk

Attachment B

RESOLUTION NO. 6096

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RESOLUTION NO. 6096

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CARPINTERIA, DIRECTING ORDINANCE NO. 751 BE TRANSMITTED
TO THE CALIFORNIA COASTAL COMMISSION FOR FILING
PURSUANT TO PUBLIC RESOURCES CODE §30510 AND IN
ACCORDANCE WITH §13551 OF TITLE 14 THE CALIFORNIA CODE
OF REGULATIONS**

WHEREAS, on June 4, 2021, a Notice of Intention to Circulate Petition (“Petition”) was filed in the City Clerk’s Office for an initiative measure seeking to change and/or readopt the General Plan designation and Zoning designation for two parcels of City-owned property (APN 004-105-011 and APN 004-105-026) located adjacent to the railroad tracks to the west of Linden Avenue and to amend the definition of the Open Space Recreation land use category of the General Plan Land Use Element (“Initiative”); and

WHEREAS, on November 22, 2021, the Initiative petition was filed with the City Clerk and promptly transmitted to the Santa Barbara County Elections/Registrar of Voters (“County Elections Office”) for signature verification; and

WHEREAS, based on an examination of all 1,075 signatures submitted, the County Elections Office established that 932 signatures were valid and the Initiative petition is sufficient; and

WHEREAS, on January 10, 2022, the City Clerk presented the City Council with the Certificate of Sufficiency of the Initiative petition; and

WHEREAS, on January 10, 2022, the City Council chose not to submit the Initiative measure to the voters and adopted Ordinance No. 751, without alteration, and directed that Ordinance No. 751 be transmitted to the California Coastal Commission for filing pursuant to Public Resources Code §30510 and in accordance with §13551 of Title 14 the California Code of Regulations; and,

WHEREAS, the City Council's approval of the Ordinance No. 751 is exempt from the California Environmental Quality Act (CEQA) pursuant to the California Supreme Court decision in Tuolumne Jobs & Small Business Alliance v. Superior Court (2014) 59 Cal.4th 1029 and the Initiative Ordinance does not constitute a “project” for the purposes of CEQA under Section 15378(b)(3) of the CEQA Guidelines;

WHEREAS, the proposed amendments were approved for submittal to the California Coastal Commission by the City Council as set forth below and as attached hereto and incorporated herein by reference; and,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARPINTERIA,

CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The foregoing recitals are true and accurate.

SECTION 2. Title 14 of the Carpinteria Municipal Code (Zoning) and General Plan are amended as shown in Exhibit 1, Ordinance No. 751 and incorporated herein. Council authorizes staff to provide further information, as necessary, for Coastal Commission certification.

SECTION 3. The City Council held a public hearing on the proposed amendment to the General Plan / Local Coastal Program and is transmitting all proposed amendments to the California Coastal Commission for submittal and filing pursuant to California Code of Regulations, Title 14 Section 13551.

PASSED, APPROVED AND ADOPTED this 10th day of January 2022, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

Mayor, City of Carpinteria

ATTEST:

Acting 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 January 10, 2022.

Acting City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of
Brownstein Hyatt Farber Schreck,
LLP Acting as City Attorney

EXHIBIT 1 TO RESOLUTION NO. 6096

ORDINANCE NO. 751

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CARPINTERIA ADOPTING AN INITIATIVE MEASURE TO CHANGE
AND/OR READOPT THE CITY OF CARPINTERIA'S GENERAL PLAN
DESIGNATION AND ZONING DESIGNATION FOR TWO PARCELS OF
CITY-OWNED PROPERTY (APN 004-105-011 AND APN 004-105-026)
LOCATED ADJACENT TO THE RAILROAD TRACKS TO THE WEST
OF LINDEN AVENUE AND TO AMEND THE DEFINITION OF THE
OPEN SPACE/RECREATION (OSR) LAND USE CATEGORY OF THE
GENERAL PLAN LAND USE ELEMENT**

The City Council of the City of Carpinteria finds and declares as follows:

WHEREAS, the City of Carpinteria ("City") owns two parcels of real property, "Parcel A" (APN004-105-011) and "Parcel B" (APN 004-105-026) (collectively, "Parcels"), located adjacent to the railroad tracks to the west of Linden Avenue; and

WHEREAS, Parcel A is currently zoned Commercial Planned Development with a General Plan land use category designation of General Commercial; and

WHEREAS, Parcel B is currently zoned Recreation ("REC") with a General Plan land use category designation of Open Space / Recreation ("OSR"); and

WHEREAS, on June 4, 2021, a Notice of Intention to Circulate Petition ("Petition") was filed in the City Clerk's Office for an initiative measure seeking to change and/or readopt the General Plan designation and Zoning designation for the Parcels and amend the definition of the OSR Land Use Category of the General Plan Land Use Element ("Initiative"); and

WHEREAS, on June 18, 2021, the City Attorney prepared and provided an official ballot title and summary for the proposed Initiative for use by the proponents for publication and circulation of the Initiative petition; and

WHEREAS, on November 22, 2021, the Initiative petition was filed with the City Clerk and promptly transmitted to the Santa Barbara County Elections/Registrar of Voters ("County Elections Office") for signature verification; and

WHEREAS, based on an examination of all 1,075 signatures submitted, the County Elections Office established that 932 signatures were valid and the Initiative petition is sufficient; and

WHEREAS, January 10, 2022, the City Clerk presented the City Council with the Certificate of Sufficiency of the Initiative petition; and

WHEREAS, having already received a 9212 Report analyzing the potential effects of the Initiative, if an initiative is signed by not less than ten percent of the voters of the City Election Code Section 9215 requires the City Council to take one of the following actions:

(a) Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.

(b) Submit the ordinance, without alteration, to the voters at the City's next regular election, occurring on November 8, 2022.

(c) Submit the ordinance, without alteration, to the voters at a special election in April 2022 pursuant to Elections Code Section 1405.

WHEREAS, the City Council's approval of the Ordinance No. 751 is exempt from the California Environmental Quality Act (CEQA) pursuant to the California Supreme Court decision in Tuolumne Jobs & Small Business Alliance v. Superior Court (2014) 59 Cal.4th 1029 and the Initiative Ordinance does not constitute a "project" for the purposes of CEQA under Section 15378(b)(3) of the CEQA Guidelines.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CARPINTERIA DOES ORDAIN AS FOLLOWS:

SECTION 1. INCORPORATION OF RECITALS

The above recitals are true and correct and are incorporated herein, and are each relied upon independently by the City Council for its adoption of this Ordinance.

SECTION 2.

The City Council hereby approves the Initiative, attached as Exhibit 1 and incorporated herein.

SECTION 3.

Staff is directed to submit the Initiative for approval by the California Coastal Commission and the Department of Housing and Community Development, as determined necessary. Subsequent to their approval, staff is authorized to incorporate the provisions of the Initiative into the General Plan and Zoning Ordinance, as appropriate, and to make other corresponding changes as necessary to implement the Initiative.

PASSED, APPROVED AND ADOPTED on the 10th day of January, 2022, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

Mayor, City of Carpinteria

ATTEST:

Acting City Clerk, City of Carpinteria

I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held on January 10, 2022.

Acting City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria

EXHIBIT 1 TO ORDINANCE NO. 751

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

The people of the City of Carpinteria do ordain as follows:

Section 1. Title.

This initiative measure ("Initiative") shall be known as the "Save Our Downtown and Beach Parking Lot Initiative."

Section 2. Findings and Purpose.

A. Findings. The people of the City of Carpinteria find and declare the following:

- 1. The approximately 1.15-acre property located at 499 Linden Avenue (APN 004-105-011), labeled as Parcel A, Downtown and Beach Parking Lot, on Exhibits A, B & C, currently consists of City Parking Lot #3 or Downtown and Beach Parking Lot. The City of Carpinteria's General Plan classifies this property as General Commercial. The property is adjacent to the Carpinteria Community Garden Park.**
- 2. This property is owned by the City of Carpinteria. On May 18, 1989 the City accepted this property from Southern Pacific (SPTC Holding, Inc.) for public purposes, as shown on Exhibit D to this Initiative.**
- 3. The approximately 1.27-acre property located at 399 Linden Avenue on the south side of the railroad tracks (APN 004-105-026), labeled as Parcel B, Coastal Open Space Corridor, on Exhibits A, B & C, currently consists of Open Space. The General Plan designates these properties as Open Space/Recreation. The property was acquired by the City in 2013.**
- 4. The General Plan contains policies to protect, preserve and enhance local natural resources, to provide adequate parking for the public and for public coastal access, to avoid placing development where exposed to hazards of transportation corridors, and for ensuring that zoning and development is consistent with zoning and development on adjacent and nearby parcels.**
- 5. The purpose of the General Plan land use designation is to establish the type and intensity of land uses on properties consistent with their designation in the General Plan Land Use Element and Land Use Map. The zoning designations for each property must be consistent with the General Plan designation.**
- 6. The voters seek to preserve the Downtown and Beach Parking Lot for its current use as a public parking lot, and to preserve the Coastal Open Space Corridor in its current open space/habitat corridor status, and thereby wish to propose this Initiative, which will re-designate and re-zone these properties, by Initiative, so that their zoning is fixed and cannot be changed absent a vote of the people.**

B. Purpose. The purpose of this Initiative is to amend the General Plan designation and zoning of the Downtown and Beach Parking Lot and Coastal Open Space Corridor in

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

order to maintain the current use of those sites. The General Plan designations and zoning for these sites will create a consistency of designations and zoning across these nearby sites, also including the Carpinteria Community Garden Park. The Downtown and Beach Parking Lot will remain zoned for public parking use and purposes, but not for other commercial uses, with allowance for limited residential-only use consistent with the Residential overlay zone as required by California Government Code section 66330, subdivision (b)(1)(A).

Section 3. City of Carpinteria General Plan Amendments

A. The voters hereby amend the General Plan Diagram (excerpt shown in Exhibit B) of the City of Carpinteria to:

1. Change the General Plan designation of the Downtown and Beach Parking Lot property from General Commercial (GC), to Open Space Recreation (OSR).
2. Re-adopt, by this Initiative, the Open Space Recreation (OSR) designation on the Coastal Open Space Corridor property, as shown on Exhibit B.

B. The voters hereby amend the text of Land Use Map descriptions as follows (additions shown in underline, non-underlined text is not being amended and is shown for context only):

1. Open Space/Recreation (OSR) The OSR land use category is intended to provide recreational areas (passive or active), including existing parking, City parks, beaches, golf courses and related uses. It also identifies open space areas. The OSR land use category may also provide for residential uses, only if the property is included in the Residential overlay zone.

Section 4. Zoning Amendments

The voters hereby amend the Zoning Map (excerpt shown in Exhibit C) of the City of Carpinteria, to:

1. Change the zoning on the Downtown and Beach Parking Lot property, as shown on Exhibit C, from CPD to REC/R.
2. Re-adopt, by this Initiative, the zoning on the Coastal Open Space Corridor property, as shown on Exhibit C, as REC.

Section 5. Effect of Initiative on General Plan Land Use Classification and Zoning on Subject Properties Only

This Initiative adopts General Plan designations and zoning designations only for the Downtown and Beach Parking Lot and Coastal Open Space Corridor properties, which are specifically identified in this Initiative. The Initiative does not adopt, alter, or change any other land use classifications or zoning on any other real property in the City of Carpinteria.

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Section 6. Implementation

- A. This Initiative is considered adopted and effective upon the earliest date legally possible after either the City Council adopts the Initiative as law upon its qualification or, if it is placed on the ballot, the elections official certifies the vote on the Initiative by the voters of the City of Carpinteria. Upon the effective date of this Initiative, the City is directed to promptly take all appropriate actions needed to implement this Initiative, including but not limited to taking any administrative steps necessary to update any and all City maps, figures, and any other documents maintained by the City so they conform to the legislative policies set forth in this Initiative.
- B. Upon the effective date of this Initiative, the General Plan amendments of Section 3 of this Initiative are hereby inserted into the General Plan; except that if the four amendments of any mandatory element of the General Plan permitted by state law for any calendar year have already been utilized in the year in which this Initiative becomes effective, the General Plan amendments set forth in this Initiative shall be the first amendments inserted into the General Plan on January 1 of the next year. The City may reorganize, renumber, and/or reformat the General Plan provisions of Section 3 of this Initiative, provided that the full text is inserted into the General Plan without alteration.
- C. The General Plan in effect on the date of filing of the Notice of Intent to Circulate this Initiative ("Filing Date"), and the General Plan as amended by this Initiative, comprise an integrated, internally consistent, and compatible statement of policies for the City. To ensure that the City's General Plan remains an integrated, internally consistent, and compatible statement of policies for the City, any provision of the General Plan that is adopted between the Filing Date and the effective date of the General Plan amendments adopted by this Initiative shall, to the extent that such interim-enacted provision is inconsistent with or would diminish, render invalid, defeat, or impair the General Plan amendments adopted by this Initiative, be amended as soon as possible and in the manner and time required by state law to ensure consistency between the provisions adopted by this Initiative and other elements of the General Plan.
- D. Upon the effective date of this Initiative, the provisions of Section 4 (Zoning Amendments) of this Initiative are hereby inserted into the Carpinteria Municipal Code. The City may reorganize, renumber, and/or reformat the provisions of Section 4 of this Initiative, provided that the full text is inserted into the Municipal Code without alteration.

Section 7. Effect of Other Measures on the Same Ballot

It is the voters' intent to comprehensively establish the potential future uses and development of the specific properties that are subject to the Initiative, including preservation of Coastal Open Space Corridor in its current open space state and the preservation of the Downtown and Beach Parking Lot for continued parking uses. To ensure that this intent is not frustrated, and in the event this Initiative is not adopted by the City Council as law, this Initiative shall be presented to the voters as an alternative to, and with the express intent that it will compete with, any and all

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

voter initiatives or City-sponsored measures placed on the same ballot as this Initiative and which, if approved, would regulate the use or development of the subject properties in any manner whatsoever (each, a "Conflicting Initiative"). In the event that this Initiative and one or more Conflicting Initiatives are adopted by the voters at the same election, then it is the voters' intent that only that measure that receives the greatest number of affirmative votes shall control in its entirety and said other measure or measures shall be rendered void and without any legal effect. In no event shall this Initiative be interpreted in a manner that would permit its operation in conjunction with the non-conflicting provisions of any Conflicting Initiative. If this Initiative is approved by the voters but superseded by law in whole or in part by any other Conflicting Initiative approved by the voters at the same election, and such Conflicting Initiative is later held invalid, this Initiative shall be self-executing and given full force of law.

Section 8. Interpretation and Severability

A. This Initiative must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Initiative. The voters declare that this Initiative, and each section, sub-section, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Initiative that can be given effect without the invalid application.

B. If any portion of this Initiative is held by a court of competent jurisdiction to be invalid, we the People of the City of Carpinteria indicate our strong desire that: (i) the City Council use its best efforts to sustain and re-enact that portion, and (ii) the City Council implement this Initiative by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Initiative, including adopting or reenacting any such portion in a manner consistent with this Initiative.

C. The Proponents of this Initiative, and any committee formed to support this Initiative, shall have standing to enforce and defend the provisions of this Initiative in any judicial forum, as necessary.

D. This Initiative must be broadly construed in order to achieve the purposes stated above. It is the intent of the voters that the provisions of this Initiative be interpreted or implemented by the City and others in a manner that facilitates the purpose set forth in this Initiative.

Section 9. Amendment

The provisions of this Initiative can be amended or repealed only by a majority of voters of the City of Carpinteria voting in an election held in accordance with state law.

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Section 10. Inconsistent Provisions Repealed

Any provisions of the City of Carpinteria Municipal Code, or any other ordinances of the City inconsistent with this Initiative, to the extent of such inconsistencies and no further, are hereby repealed. This Initiative expresses the voters' intent to eliminate any possible inconsistency between existing code provisions and the amended General Plan designations and zoning designations.

Section 11. Exhibits

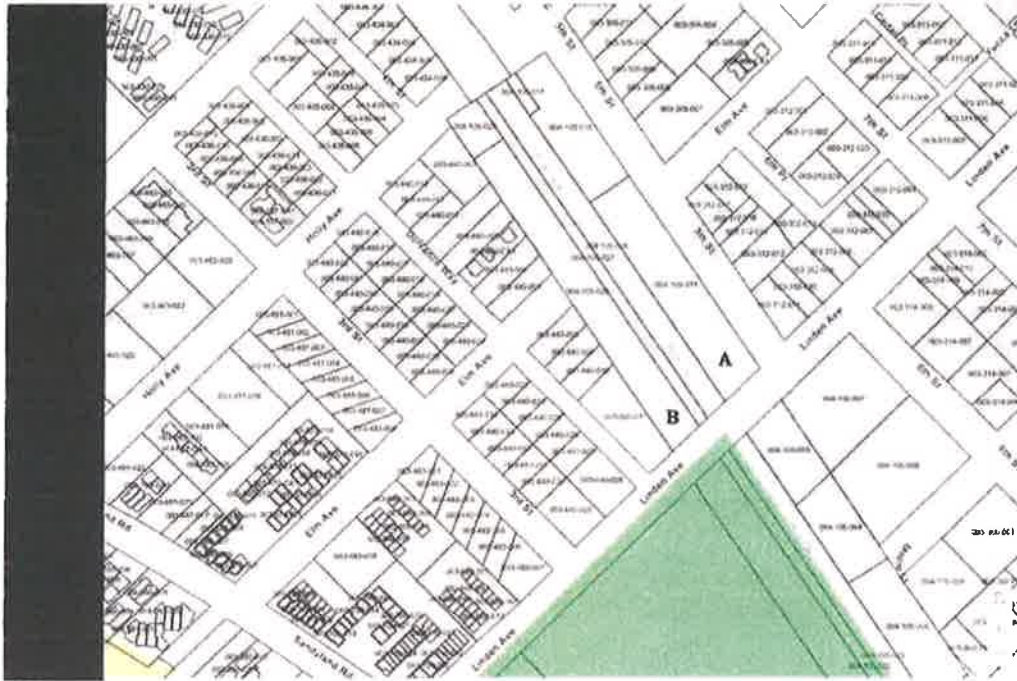
The following Exhibits A-D are provided for reference for the voters and incorporated by reference herein. The maps are intended to provide context and information regarding the location and current General Plan designations and zoning designations of the Downtown and Beach Parking Lot and the Coastal Open Space Corridor, as well as the designations of surrounding properties. The inclusion of the maps does not amend the General Plan or zoning designations of any property other than those specifically amended in this Initiative.

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Exhibit A Identification of Affected Properties

Obtained from Santa Barbara County Geographic Information System.

Santa Barbara County Land Use and Zoning Map



Parcel Label	APN	Referenced in Initiative By Name
A	004-105-011	Downtown and Beach Parking Lot
B	004-105-026	Coastal Open Space Corridor

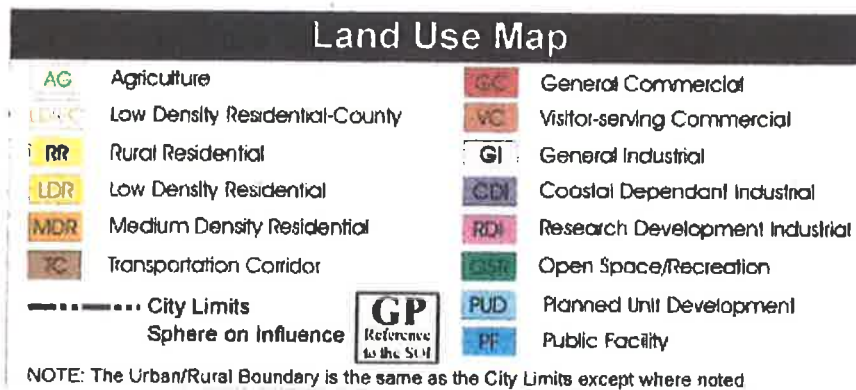
INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Exhibit B General Plan Designations



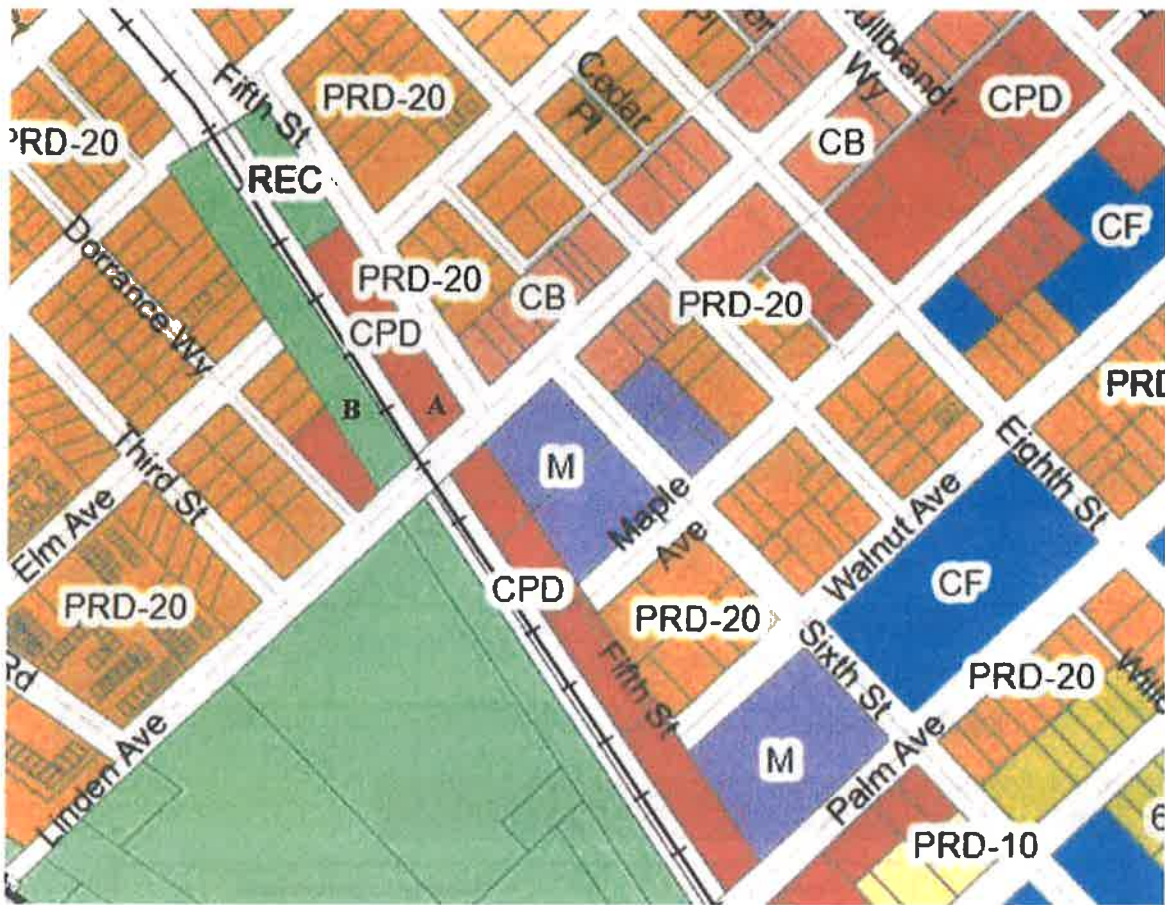
Land Use Map

Parcel Label	Current Designation	Designation Adopted by Initiative
A	GC	OSR
B	OSR	OSR



INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Exhibit C
Zoning Designations



Parcel Label	Current Designation	Designation Adopted by Initiative
A	CPD	REC/R
B	REC	REC

ZONING DISTRICTS

Residential

- PRD-13 Planned Residential Development District - Maximum Density 13 Units/Acre
- 8-R-1 Single Family Residential District - Minimum Lot Size 8,000 square feet
- PRD-10 Planned Residential Development District - Maximum Density 10 Units/Acre
- PUD Planned Unit Development District
- 7-R-1 Single Family Residential District - Minimum Lot Size 7,000 square feet
- PRD-20 Planned Residential Development District - Maximum Density 20 Units/Acre
- 6-R-1 Single Family Residential District - Minimum Lot Size 6,000 square feet
- 4-R-1 Single Family Residential District - Minimum Lot Size 4,000 square feet
- 20-R-1 Single Family Residential District - Minimum Lot Size 20,000 square feet
- PRD-4 Planned Residential Development District - Maximum Density 4 Units/Acre
- PRD-18 Planned Residential Development District - Maximum Density 18 Units/Acre
- PUD-4.6 Planned Unit Development District - Maximum Density 4.6 Units/Acre
- PUD-5 Planned Unit Development District - Maximum Density 5 Units/Acre
- PRD-15 Planned Residential Development District - Maximum Density 15 Units/Acre
- MHP Mobile Home Park Planned Development District
- CITY BOUNDARY

Industrial

- M General Industrial District
- M-CD Coastal Industrial District
- M-RP Industrial/ Research Park District

Commercial

- CPD Commercial Planned Development District
- CB Central Business District
- CPD/R Commercial Planned Development District/ Residential Overlay
- RES Resort District

Other

- UT Public Utility District
- A-10 Agricultural - Minimum 10-Acre Parcel
- REC Recreation District
- A-5 Agricultural - Minimum 5-Acre Parcel
- CF Community Facility District

Schools

- Elementary School
- High School
- Middle School

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Exhibit D

Corporation Grant Deed and Certificate of Acceptance for Downtown and Beach Parking Lot

RECORDING REQUESTED BY

TICOR TITLE INS.
#200795-KAT

AND WHEN RECORDED MAIL TO

ALAN R. COATES, JR.
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93013

MAIL TAX STATEMENTS TO

same as above

89-034263

Recorded
Official Records
County of
Santa Barbara
Kenneth A. Pettit
Recorder
8:00am 25-May-89

Rec Fee .00
Total .00

ML 3

NO TAX DUE

NO FEE

APN 13-010-04

CORPORATION GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, SPTC HOLDING, INC., a corporation organized under the laws of the State of Delaware, does hereby GRANT to CITY OF CARPINTERIA, a Municipal corporation, the real property in the City of Carpinteria, County of Santa Barbara, State of California, described as

Parcel One of Parcel Map No. 25,143, in the City of Carpinteria, County of Santa Barbara, State of California as per Parcel Map filed in Book 43 Pages 62 and 63 of Parcel Maps, in the Office of the County Recorder of said County.

Grantor hereby excepts from the property hereby conveyed and reserves unto itself, its successors and assigns, all minerals and mineral rights, interests, and royalties, including without limiting the generality thereof, oil, gas and other hydrocarbon substances, as well as metallic or other solid minerals, in and under said property; however, Grantor or its successors and assigns shall not have the right for any purpose whatsoever to enter upon, into or through the surface of said property in connection therewith.

This Grant is made subject to all covenants, conditions, restrictions, exceptions, easements, rights of way, rights of access, agreements, reservations, encumbrances, liens and other matters as

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

- 2 -

the same may be of record; any matter which would be disclosed by survey, investigation or inquiry; and any tax, assessment or other governmental lien against said property.

Dated: MAY 18, 1989

SPTC HOLDING, INC.,
a Delaware corporation

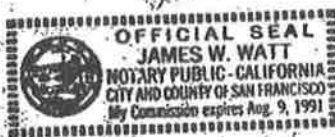
By: [Signature]
Title: Vice President - Real Estate

By: [Signature]
Title: Secretary

STATE OF CALIFORNIA
City and County of San Francisco } s.s.
On this 18th day of May

in the year One Thousand Nine Hundred and Eighty Nine
before me, JAMES W. WATT, a Notary Public in and for the City and County of San Francisco, State of California, personally appeared

(Southern Pacific Building)



Corporation

My Commission Expires August 9, 1991

S. D. Steel
personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the Vice President, and
T. F. O'Donoghue II personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the Secretary of the Corporation that executed the within instrument and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.
WITNESS my hand and official seal.

James W. Watt
Notary Public in and for the City and County of San Francisco, State of California.

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

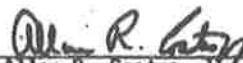
CERTIFICATE OF ACCEPTANCE
Government Code Section 27281

This is to Certify, that the City of Carpinteria, grantee herein, hereby accepts for public purposes the real property, or interest therein, conveyed by the within deed and consents to the recordation thereof.

In Witness Whereof, I have hereunto set my hand this 18th day of May, 1989.

CITY OF CARPINTERIA

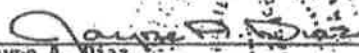
By:


Allan R. Coates, Jr.
City Manager/Clerk

STATE OF CALIFORNIA
COUNTY OF SANTA BARBARA

} ss

On May 18, 1989, before me, Deputy City Clerk for the CITY OF CARPINTERIA, personally appeared Allan R. Coates, Jr., known to me to be the City Manager of the CITY OF CARPINTERIA, and known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same on behalf of the CITY OF CARPINTERIA.


Jayne A. Diaz
Deputy City Clerk

Attachment C

**Resolution Nos. 6092 – 6095, pertaining to November 8, 2022
General Consolidated Municipal Election**

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RESOLUTION NO. 6092

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA, CALLING AND GIVING NOTICE OF A REGULAR MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022, FOR THE SUBMISSION OF AN INITIATIVE MEASURE TO CHANGE AND/OR READOPT THE CITY OF CARPINTERIA'S GENERAL PLAN DESIGNATION AND ZONING DESIGNATION FOR TWO PARCELS OF CITY-OWNED PROPERTY (APN 004-105-011 AND APN 004-105-026) LOCATED ADJACENT TO THE RAILROAD TRACKS TO THE WEST OF LINDEN AVENUE AND TO AMEND THE DEFINITION OF THE OPEN SPACE/ RECREATION (OSR) LAND USE CATEGORY OF THE GENERAL PLAN LAND USE ELEMENT

WHEREAS, pursuant to Election Code Section 1405(a), the City Council of the City of Carpinteria ("City") has elected to submit to the voters at the November 8, 2022 regular general municipal election an initiative measure entitled "An Initiative Measure to Change and/or Readopt the City of Carpinteria's General Plan Designation and Zoning Designation for Two Parcels of City-Owned Property (APN 004-105-011 and APN 004-105-026) Located Adjacent to the Railroad Tracks to the West of Linden Avenue and to Amend the Definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land Use Element" ("Initiative"); and

WHEREAS, the City Council requests that the Santa Barbara County ("County") Board of Supervisors consolidate the City's regular general municipal election with any and all elections to be administered by Santa Barbara County Elections/Registrar of Voters ("County Elections Office") on the same date.

NOW, THEREFORE, THE CITY COUNCIL DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are hereby adopted.

SECTION 2. That pursuant to the requirements of the laws of the State of California relating to general law cities, the City Council hereby calls and orders a regular general municipal election on Tuesday, November 8, 2022 for the purpose of submitting the Initiative to the qualified voters of the City.

SECTION 3. The City hereby calls and gives notice to have its regular general municipal election on Tuesday, November 8, 2022 consolidated with any and all elections conducted on such date within the County.

SECTION 4. That the proposed text of the Initiative Ordinance to be submitted to the voters is attached hereto as Exhibit 1 and incorporated herein by this reference.

SECTION 5. The City Council does order submitted to the voters at the Special Municipal Election the following question, printed in substantially the following form:

Shall the Measure to Change and/or Readopt the City of Carpinteria's General Plan Designation and Zoning Designation for Two Parcels of City-Owned Property (APN 004-105-011 and APN 004-105-026) Located Adjacent to the Railroad Tracks to the West of Linden Avenue and to Amend the Definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land Use Element be adopted?	YES
	NO

SECTION 6. That the vote requirement for the measure to pass shall be a majority of the votes cast (50% + 1).

SECTION 7. That the ballots to be used at the election shall be in form and content as required by law or as directed by the Clerk of the County Elections Office to facilitate the consolidation of the City's general municipal election with the County-administered election of the same date.

SECTION 8. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 9. That the polls shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code Section 10242, except as provided in Section 14401 of the Election Code of the State of California.

SECTION 10. That all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 11. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 12. That the City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

SECTION 13. That the City Clerk is hereby directed to file a copy of this Resolution with the Board of Supervisors and the County Elections Office.

PASSED, APPROVED AND ADOPTED on the 10th day of January, 2022, by the following vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

Mayor, City of Carpinteria

ATTEST:

Acting 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 on January 10, 2022.

Acting City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP Acting as
City Attorney of the City of Carpinteria

EXHIBIT 1 TO RESOLUTION NO. 6092

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

The people of the City of Carpinteria do ordain as follows:

Section 1. Title.

This initiative measure ("Initiative") shall be known as the "Save Our Downtown and Beach Parking Lot Initiative."

Section 2. Findings and Purpose.

A. Findings. The people of the City of Carpinteria find and declare the following:

- 1. The approximately 1.15-acre property located at 499 Linden Avenue (APN 004-105-011), labeled as Parcel A, Downtown and Beach Parking Lot, on Exhibits A, B & C, currently consists of City Parking Lot #3 or Downtown and Beach Parking Lot. The City of Carpinteria's General Plan classifies this property as General Commercial. The property is adjacent to the Carpinteria Community Garden Park.**
- 2. This property is owned by the City of Carpinteria. On May 18, 1989 the City accepted this property from Southern Pacific (SPTC Holding, Inc.) for public purposes, as shown on Exhibit D to this Initiative.**
- 3. The approximately 1.27-acre property located at 399 Linden Avenue on the south side of the railroad tracks (APN 004-105-026), labeled as Parcel B, Coastal Open Space Corridor, on Exhibits A, B & C, currently consists of Open Space. The General Plan designates these properties as Open Space/Recreation. The property was acquired by the City in 2013.**
- 4. The General Plan contains policies to protect, preserve and enhance local natural resources, to provide adequate parking for the public and for public coastal access, to avoid placing development where exposed to hazards of transportation corridors, and for ensuring that zoning and development is consistent with zoning and development on adjacent and nearby parcels.**
- 5. The purpose of the General Plan land use designation is to establish the type and intensity of land uses on properties consistent with their designation in the General Plan Land Use Element and Land Use Map. The zoning designations for each property must be consistent with the General Plan designation.**
- 6. The voters seek to preserve the Downtown and Beach Parking Lot for its current use as a public parking lot, and to preserve the Coastal Open Space Corridor in its current open space/habitat corridor status, and thereby wish to propose this Initiative, which will re-designate and re-zone these properties, by Initiative, so that their zoning is fixed and cannot be changed absent a vote of the people.**

B. Purpose. The purpose of this Initiative is to amend the General Plan designation and zoning of the Downtown and Beach Parking Lot and Coastal Open Space Corridor in

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

order to maintain the current use of those sites. The General Plan designations and zoning for these sites will create a consistency of designations and zoning across these nearby sites, also including the Carpinteria Community Garden Park. The Downtown and Beach Parking Lot will remain zoned for public parking use and purposes, but not for other commercial uses, with allowance for limited residential-only use consistent with the Residential overlay zone as required by California Government Code section 66330, subdivision (b)(1)(A).

Section 3. City of Carpinteria General Plan Amendments

A. The voters hereby amend the General Plan Diagram (excerpt shown in Exhibit B) of the City of Carpinteria to:

1. Change the General Plan designation of the Downtown and Beach Parking Lot property from General Commercial (GC), to Open Space Recreation (OSR).
2. Re-adopt, by this Initiative, the Open Space Recreation (OSR) designation on the Coastal Open Space Corridor property, as shown on Exhibit B.

B. The voters hereby amend the text of Land Use Map descriptions as follows (additions shown in underline, non-underlined text is not being amended and is shown for context only):

1. Open Space/Recreation (OSR) The OSR land use category is intended to provide recreational areas (passive or active), including existing parking, City parks, beaches, golf courses and related uses. It also identifies open space areas. The OSR land use category may also provide for residential uses, only if the property is included in the Residential overlay zone.

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The voters hereby amend the Zoning Map (excerpt shown in Exhibit C) of the City of Carpinteria, to:

1. Change the zoning on the Downtown and Beach Parking Lot property, as shown on Exhibit C, from CPD to REC/R.
2. Re-adopt, by this Initiative, the zoning on the Coastal Open Space Corridor property, as shown on Exhibit C, as REC.

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This Initiative adopts General Plan designations and zoning designations only for the Downtown and Beach Parking Lot and Coastal Open Space Corridor properties, which are specifically identified in this Initiative. The Initiative does not adopt, alter, or change any other land use classifications or zoning on any other real property in the City of Carpinteria.

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Section 6. Implementation

- A. This Initiative is considered adopted and effective upon the earliest date legally possible after either the City Council adopts the Initiative as law upon its qualification or, if it is placed on the ballot, the elections official certifies the vote on the Initiative by the voters of the City of Carpinteria. Upon the effective date of this Initiative, the City is directed to promptly take all appropriate actions needed to implement this Initiative, including but not limited to taking any administrative steps necessary to update any and all City maps, figures, and any other documents maintained by the City so they conform to the legislative policies set forth in this Initiative.
- B. Upon the effective date of this Initiative, the General Plan amendments of Section 3 of this Initiative are hereby inserted into the General Plan; except that if the four amendments of any mandatory element of the General Plan permitted by state law for any calendar year have already been utilized in the year in which this Initiative becomes effective, the General Plan amendments set forth in this Initiative shall be the first amendments inserted into the General Plan on January 1 of the next year. The City may reorganize, renumber, and/or reformat the General Plan provisions of Section 3 of this Initiative, provided that the full text is inserted into the General Plan without alteration.
- C. The General Plan in effect on the date of filing of the Notice of Intent to Circulate this Initiative ("Filing Date"), and the General Plan as amended by this Initiative, comprise an integrated, internally consistent, and compatible statement of policies for the City. To ensure that the City's General Plan remains an integrated, internally consistent, and compatible statement of policies for the City, any provision of the General Plan that is adopted between the Filing Date and the effective date of the General Plan amendments adopted by this Initiative shall, to the extent that such interim-enacted provision is inconsistent with or would diminish, render invalid, defeat, or impair the General Plan amendments adopted by this Initiative, be amended as soon as possible and in the manner and time required by state law to ensure consistency between the provisions adopted by this Initiative and other elements of the General Plan.
- D. Upon the effective date of this Initiative, the provisions of Section 4 (Zoning Amendments) of this Initiative are hereby inserted into the Carpinteria Municipal Code. The City may reorganize, renumber, and/or reformat the provisions of Section 4 of this Initiative, provided that the full text is inserted into the Municipal Code without alteration.

Section 7. Effect of Other Measures on the Same Ballot

It is the voters' intent to comprehensively establish the potential future uses and development of the specific properties that are subject to the Initiative, including preservation of Coastal Open Space Corridor in its current open space state and the preservation of the Downtown and Beach Parking Lot for continued parking uses. To ensure that this intent is not frustrated, and in the event this Initiative is not adopted by the City Council as law, this Initiative shall be presented to the voters as an alternative to, and with the express intent that it will compete with, any and all

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

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Section 8. Interpretation and Severability

A. This Initiative must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Initiative. The voters declare that this Initiative, and each section, sub-section, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Initiative that can be given effect without the invalid application.

B. If any portion of this Initiative is held by a court of competent jurisdiction to be invalid, we the People of the City of Carpinteria indicate our strong desire that: (i) the City Council use its best efforts to sustain and re-enact that portion, and (ii) the City Council implement this Initiative by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Initiative, including adopting or reenacting any such portion in a manner consistent with this Initiative.

C. The Proponents of this Initiative, and any committee formed to support this Initiative, shall have standing to enforce and defend the provisions of this Initiative in any judicial forum, as necessary.

D. This Initiative must be broadly construed in order to achieve the purposes stated above. It is the intent of the voters that the provisions of this Initiative be interpreted or implemented by the City and others in a manner that facilitates the purpose set forth in this Initiative.

Section 9. Amendment

The provisions of this Initiative can be amended or repealed only by a majority of voters of the City of Carpinteria voting in an election held in accordance with state law.

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Section 10. Inconsistent Provisions Repealed

Any provisions of the City of Carpinteria Municipal Code, or any other ordinances of the City inconsistent with this Initiative, to the extent of such inconsistencies and no further, are hereby repealed. This Initiative expresses the voters' intent to eliminate any possible inconsistency between existing code provisions and the amended General Plan designations and zoning designations.

Section 11. Exhibits

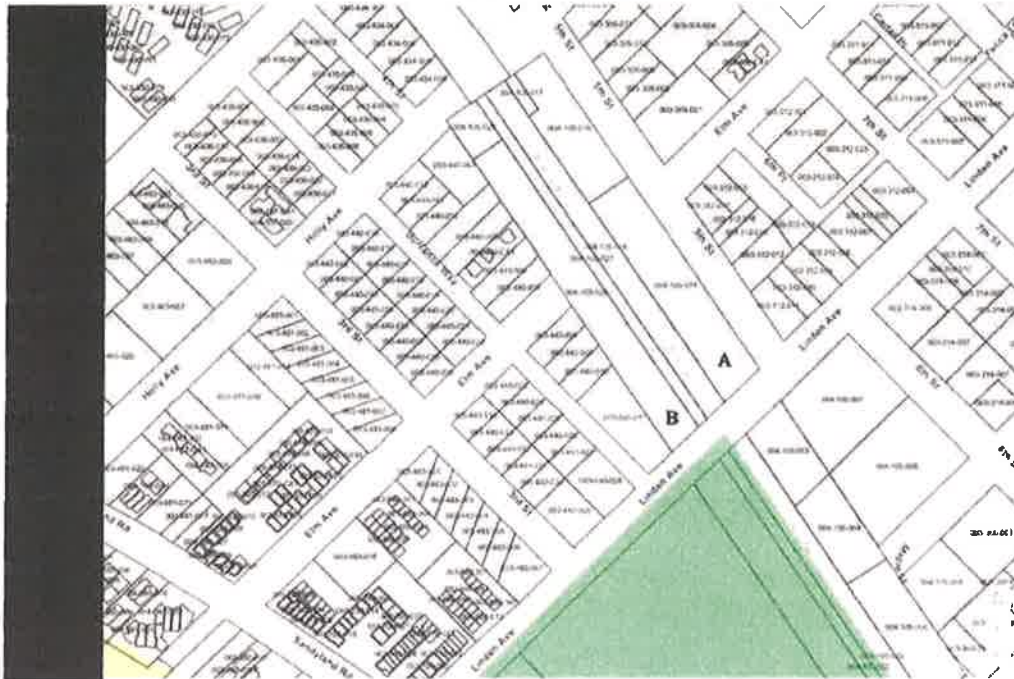
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Exhibit A Identification of Affected Properties

Obtained from Santa Barbara County Geographic Information System.

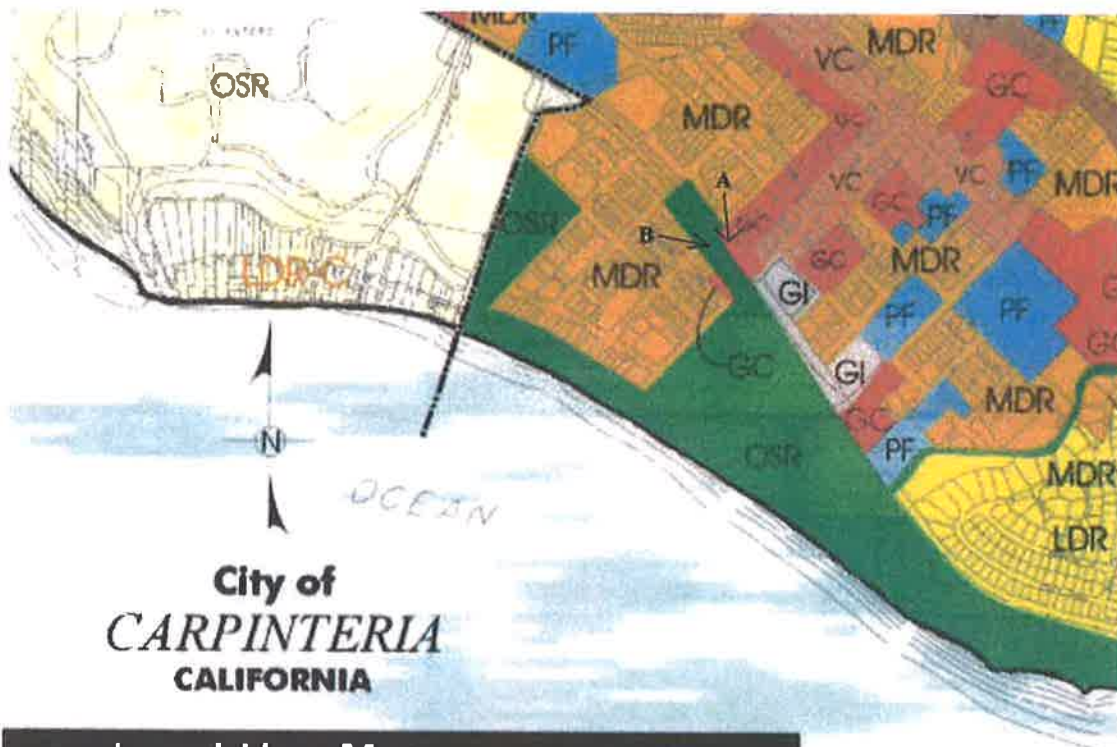
Santa Barbara County Land Use and Zoning Map



Parcel Label	APN	Referenced in Initiative By Name
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B	004-105-026	Coastal Open Space Corridor

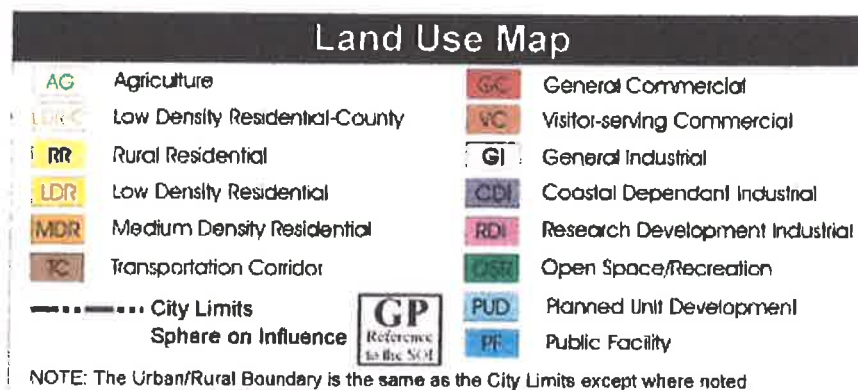
INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Exhibit B General Plan Designations



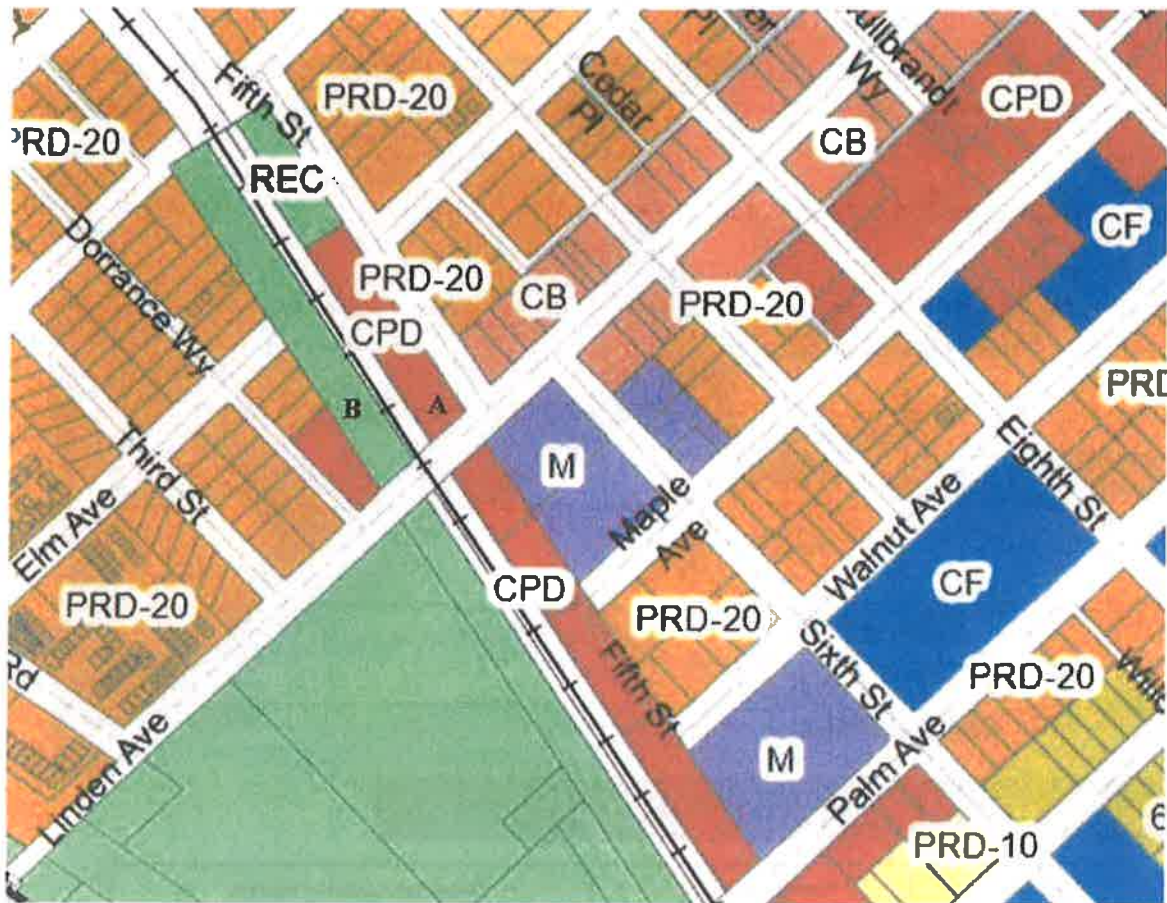
Land Use Map

Parcel Label	Current Designation	Designation Adopted by Initiative
A	GC	OSR
B	OSR	OSR



INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Exhibit C
Zoning Designations



Parcel Label	Current Designation	Designation Adopted by Initiative
A	CPD	REC/R
B	REC	REC

ZONING DISTRICTS

Residential

- PRD-13 Planned Residential Development District - Maximum Density 13 Units/Acre
- 8-R-1 Single Family Residential District - Minimum Lot Size 8,000 square feet
- PRD-10 Planned Residential Development District - Maximum Density 10 Units/Acre
- PUD Planned Unit Development District
- 7-R-1 Single Family Residential District - Minimum Lot Size 7,000 square feet
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- MHP Mobile Home Park Planned Development District
- CITY BOUNDARY

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- M General Industrial District
- M-CD Coastal Industrial District
- M-RP Industrial/ Research Park District
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- CPD Commercial Planned Development District
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- CPD/R Commercial Planned Development District/ Residential Overlay
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- Elementary School
- High School
- Middle School

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Exhibit D

Corporation Grant Deed and Certificate of Acceptance for Downtown and Beach Parking Lot

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#200795-KAT

AND WHEN RECORDED MAIL TO

ALAN R. COATES, JR.
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93013

MAIL TAX STATEMENTS TO

same as above

89-034263

Rec Fee .00
Total .00

Recorded
Official Records
County of
Santa Barbara
Kenneth A. Pettit
Recorder
8:00am 25-May-89

ML 3

NO TAX DUE

NO FEE

APN 13-010-04

CORPORATION GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, SPTC HOLDING, INC., a corporation organized under the laws of the State of Delaware, does hereby GRANT to CITY OF CARPINTERIA, a Municipal corporation, the real property in the City of Carpinteria, County of Santa Barbara, State of California, described as

Parcel One of Parcel Map No. 25,143, in the City of Carpinteria, County of Santa Barbara, State of California as per Parcel Map filed in Book 43 Pages 62 and 63 of Parcel Maps, in the Office of the County Recorder of said County.

Grantor hereby excepts from the property hereby conveyed and reserves unto itself, its successors and assigns, all minerals and mineral rights, interests, and royalties, including without limiting the generality thereof, oil, gas and other hydrocarbon substances, as well as metallic or other solid minerals, in and under said property; however, Grantor or its successors and assigns shall not have the right for any purpose whatsoever to enter upon, into or through the surface of said property in connection therewith.

This Grant is made subject to all covenants, conditions, restrictions, exceptions, easements, rights of way, rights of access, agreements, reservations, encumbrances, liens and other matters as

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

- 2 -

the same may be of record; any matter which would be disclosed by survey, investigation or inquiry; and any tax, assessment or other governmental lien against said property.

Dated: MAY 18, 1989

SPTC HOLDING, INC.,
a Delaware corporation

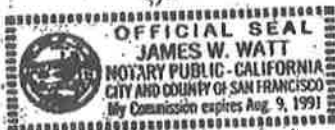
By: [Signature]
Title: Vice President - Real Estate

By: [Signature]
Title: Secretary

STATE OF CALIFORNIA
City and County of San Francisco

On this 18th day of May, in the year One Thousand Nine Hundred and Eighty Nine
before me, JAMES W. WATT, a Notary Public in and for the City and County of San Francisco, State of California, personally appeared

(Signature of Notary)



Corporation

My Commission Expires August 9, 1991

S.D. Steel
personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the Vice President, and
T. F. O'Donnell II personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the Secretary of the Corporation that executed the within instrument and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.
WITNESS my hand and official seal.

[Signature]
Notary Public in and for the City and County of San Francisco, State of California.

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

CERTIFICATE OF ACCEPTANCE
Government Code Section 27281

This is to Certify, that the City of Carpinteria, grantee herein, hereby accepts for public purposes the real property, or interest therein, conveyed by the within deed and consents to the recordation thereof.

In Witness Whereof, I have hereunto set my hand this 18th day of May, 1989.

CITY OF CARPINTERIA

By:

Allan R. Coates, Jr.
Allan R. Coates, Jr.
City Manager/Clerk

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA)

ss

On May 18, 1989, before me, Deputy City Clerk for the CITY OF CARPINTERIA, personally appeared Allan R. Coates, Jr., known to me to be the City Manager of the CITY OF CARPINTERIA, and known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same on behalf of the CITY OF CARPINTERIA.

Jayne A. Diaz
Jayne A. Diaz
Deputy City Clerk

RESOLUTION NO. 6093

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CARPINTERIA, CALIFORNIA, REQUESTING THE BOARD OF
SUPERVISORS OF THE COUNTY OF SANTA BARBARA TO
CONSOLIDATE THE CITY OF CARPINTERIA'S REGULAR
GENERAL MUNICIPAL ELECTION TO BE HELD ON
NOVEMBER 8, 2022, WITH THE STATEWIDE GENERAL
ELECTION TO BE HELD ON THE SAME DATE PURSUANT TO
§ 10403 OF THE ELECTION CODE**

WHEREAS, the City Council of the City of Carpinteria ("City") called a regular general municipal election to be held on November 8, 2022, for the purpose of submitting to the voters of the City an initiative measure entitled "An Initiative Measure to Change and/or Readopt the City of Carpinteria's General Plan Designation and Zoning Designation for Two Parcels of City-Owned Property (APN 004-105-011 and APN 004-105-026) Located Adjacent to the Railroad Tracks to the West of Linden Avenue and to Amend the Definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land Use Element" ("Initiative"); and

WHEREAS, it is desirable that the City's regular general municipal election be consolidated with the statewide general election to be held on the same date and that within the City the precincts, polling places and election officers of the two elections be the same, and that the Santa Barbara County Elections/Registrar of Voters ("County Elections Office") canvass the returns of the City's regular general municipal election and that the election be held in all respects as if there were only one election.

**NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY RESOLVE,
DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

SECTION 1. The foregoing recitals are true and correct and are hereby adopted.

SECTION 2. That pursuant to the requirements of Section 10403 of the Election Code, the County of Santa Barbara ("County") Board of Supervisors is hereby requested to consent and agree to the consolidation of the City's regular general municipal election with the statewide general election on Tuesday, November 8, 2022, for the purpose of submitting the Initiative to the qualified voters of the City.

SECTION 3. That the proposed text of the Initiative to be submitted to the voters is attached hereto as Exhibit 1 and incorporated herein by this reference.

SECTION 4. The proposed Initiative shall appear and be printed upon the ballots in substantially the following form:

Shall the Measure to Change and/or Readopt the City of Carpinteria's General Plan Designation and Zoning Designation for Two Parcels of City-Owned Property (APN 004-105-011 and APN 004-105-026 Located Adjacent to the Railroad Tracks to the West of Linden Avenue and to Amend the Definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land Use Element be adopted?	YES
	NO

SECTION 5. That the vote requirement for the measure to pass is a majority of the votes cast (50% + 1).

SECTION 6. That the County Elections Office is authorized to canvass the returns of the City's regular general municipal election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The election will be held and conducted in accordance with the provisions of law regulating the statewide election.

SECTION 7. That the Board of Supervisors is requested to issue instructions to the County Elections Office to take any and all steps necessary for the holding of the consolidated election.

SECTION 8. That the City recognizes additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for costs.

SECTION 9. That the City Clerk is hereby directed to file a copy of this Resolution with the Board of Supervisors and the County Elections Office.

PASSED, APPROVED AND ADOPTED on the 10th day of January, 2022,
by the following vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

Mayor, City of Carpinteria

ATTEST:

Acting 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 on January 10, 2022.

Acting City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP Acting as
City Attorney of the City of Carpinteria

EXHIBIT 1 TO RESOLUTION NO. 6093

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

The people of the City of Carpinteria do ordain as follows:

Section 1. Title.

This initiative measure ("Initiative") shall be known as the "Save Our Downtown and Beach Parking Lot Initiative."

Section 2. Findings and Purpose.

A. Findings. The people of the City of Carpinteria find and declare the following:

1. The approximately 1.15-acre property located at 499 Linden Avenue (APN 004-105-011), labeled as Parcel A, Downtown and Beach Parking Lot, on Exhibits A, B & C, currently consists of City Parking Lot #3 or Downtown and Beach Parking Lot. The City of Carpinteria's General Plan classifies this property as General Commercial. The property is adjacent to the Carpinteria Community Garden Park.
2. This property is owned by the City of Carpinteria. On May 18, 1989 the City accepted this property from Southern Pacific (SPTC Holding, Inc.) for public purposes, as shown on Exhibit D to this Initiative.
3. The approximately 1.27-acre property located at 399 Linden Avenue on the south side of the railroad tracks (APN 004-105-026), labeled as Parcel B, Coastal Open Space Corridor, on Exhibits A, B & C, currently consists of Open Space. The General Plan designates these properties as Open Space/Recreation. The property was acquired by the City in 2013.
4. The General Plan contains policies to protect, preserve and enhance local natural resources, to provide adequate parking for the public and for public coastal access, to avoid placing development where exposed to hazards of transportation corridors, and for ensuring that zoning and development is consistent with zoning and development on adjacent and nearby parcels.
5. The purpose of the General Plan land use designation is to establish the type and intensity of land uses on properties consistent with their designation in the General Plan Land Use Element and Land Use Map. The zoning designations for each property must be consistent with the General Plan designation.
6. The voters seek to preserve the Downtown and Beach Parking Lot for its current use as a public parking lot, and to preserve the Coastal Open Space Corridor in its current open space/habitat corridor status, and thereby wish to propose this Initiative, which will re-designate and re-zone these properties, by Initiative, so that their zoning is fixed and cannot be changed absent a vote of the people.

B. Purpose. The purpose of this Initiative is to amend the General Plan designation and zoning of the Downtown and Beach Parking Lot and Coastal Open Space Corridor in

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

order to maintain the current use of those sites. The General Plan designations and zoning for these sites will create a consistency of designations and zoning across these nearby sites, also including the Carpinteria Community Garden Park. The Downtown and Beach Parking Lot will remain zoned for public parking use and purposes, but not for other commercial uses, with allowance for limited residential-only use consistent with the Residential overlay zone as required by California Government Code section 66330, subdivision (b)(1)(A).

Section 3. City of Carpinteria General Plan Amendments

A. The voters hereby amend the General Plan Diagram (excerpt shown in Exhibit B) of the City of Carpinteria to:

1. Change the General Plan designation of the Downtown and Beach Parking Lot property from General Commercial (GC), to Open Space Recreation (OSR).
2. Re-adopt, by this Initiative, the Open Space Recreation (OSR) designation on the Coastal Open Space Corridor property, as shown on Exhibit B.

B. The voters hereby amend the text of Land Use Map descriptions as follows (additions shown in underline, non-underlined text is not being amended and is shown for context only):

1. Open Space/Recreation (OSR) The OSR land use category is intended to provide recreational areas (passive or active), including existing parking, City parks, beaches, golf courses and related uses. It also identifies open space areas. The OSR land use category may also provide for residential uses, only if the property is included in the Residential overlay zone.

Section 4. Zoning Amendments

The voters hereby amend the Zoning Map (excerpt shown in Exhibit C) of the City of Carpinteria, to:

1. Change the zoning on the Downtown and Beach Parking Lot property, as shown on Exhibit C, from CPD to REC/R.
2. Re-adopt, by this Initiative, the zoning on the Coastal Open Space Corridor property, as shown on Exhibit C, as REC.

Section 5. Effect of Initiative on General Plan Land Use Classification and Zoning on Subject Properties Only

This Initiative adopts General Plan designations and zoning designations only for the Downtown and Beach Parking Lot and Coastal Open Space Corridor properties, which are specifically identified in this Initiative. The Initiative does not adopt, alter, or change any other land use classifications or zoning on any other real property in the City of Carpinteria.

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Section 6. Implementation

- A. This Initiative is considered adopted and effective upon the earliest date legally possible after either the City Council adopts the Initiative as law upon its qualification or, if it is placed on the ballot, the elections official certifies the vote on the Initiative by the voters of the City of Carpinteria. Upon the effective date of this Initiative, the City is directed to promptly take all appropriate actions needed to implement this Initiative, including but not limited to taking any administrative steps necessary to update any and all City maps, figures, and any other documents maintained by the City so they conform to the legislative policies set forth in this Initiative.
- B. Upon the effective date of this Initiative, the General Plan amendments of Section 3 of this Initiative are hereby inserted into the General Plan; except that if the four amendments of any mandatory element of the General Plan permitted by state law for any calendar year have already been utilized in the year in which this Initiative becomes effective, the General Plan amendments set forth in this Initiative shall be the first amendments inserted into the General Plan on January 1 of the next year. The City may reorganize, renumber, and/or reformat the General Plan provisions of Section 3 of this Initiative, provided that the full text is inserted into the General Plan without alteration.
- C. The General Plan in effect on the date of filing of the Notice of Intent to Circulate this Initiative ("Filing Date"), and the General Plan as amended by this Initiative, comprise an integrated, internally consistent, and compatible statement of policies for the City. To ensure that the City's General Plan remains an integrated, internally consistent, and compatible statement of policies for the City, any provision of the General Plan that is adopted between the Filing Date and the effective date of the General Plan amendments adopted by this Initiative shall, to the extent that such interim-enacted provision is inconsistent with or would diminish, render invalid, defeat, or impair the General Plan amendments adopted by this Initiative, be amended as soon as possible and in the manner and time required by state law to ensure consistency between the provisions adopted by this Initiative and other elements of the General Plan.
- D. Upon the effective date of this Initiative, the provisions of Section 4 (Zoning Amendments) of this Initiative are hereby inserted into the Carpinteria Municipal Code. The City may reorganize, renumber, and/or reformat the provisions of Section 4 of this Initiative, provided that the full text is inserted into the Municipal Code without alteration.

Section 7. Effect of Other Measures on the Same Ballot

It is the voters' intent to comprehensively establish the potential future uses and development of the specific properties that are subject to the Initiative, including preservation of Coastal Open Space Corridor in its current open space state and the preservation of the Downtown and Beach Parking Lot for continued parking uses. To ensure that this intent is not frustrated, and in the event this Initiative is not adopted by the City Council as law, this Initiative shall be presented to the voters as an alternative to, and with the express intent that it will compete with, any and all

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

voter initiatives or City-sponsored measures placed on the same ballot as this Initiative and which, if approved, would regulate the use or development of the subject properties in any manner whatsoever (each, a "Conflicting Initiative"). In the event that this Initiative and one or more Conflicting Initiatives are adopted by the voters at the same election, then it is the voters' intent that only that measure that receives the greatest number of affirmative votes shall control in its entirety and said other measure or measures shall be rendered void and without any legal effect. In no event shall this Initiative be interpreted in a manner that would permit its operation in conjunction with the non-conflicting provisions of any Conflicting Initiative. If this Initiative is approved by the voters but superseded by law in whole or in part by any other Conflicting Initiative approved by the voters at the same election, and such Conflicting Initiative is later held invalid, this Initiative shall be self-executing and given full force of law.

Section 8. Interpretation and Severability

A. This Initiative must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Initiative. The voters declare that this Initiative, and each section, sub-section, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Initiative that can be given effect without the invalid application.

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D. This Initiative must be broadly construed in order to achieve the purposes stated above. It is the intent of the voters that the provisions of this Initiative be interpreted or implemented by the City and others in a manner that facilitates the purpose set forth in this Initiative.

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INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

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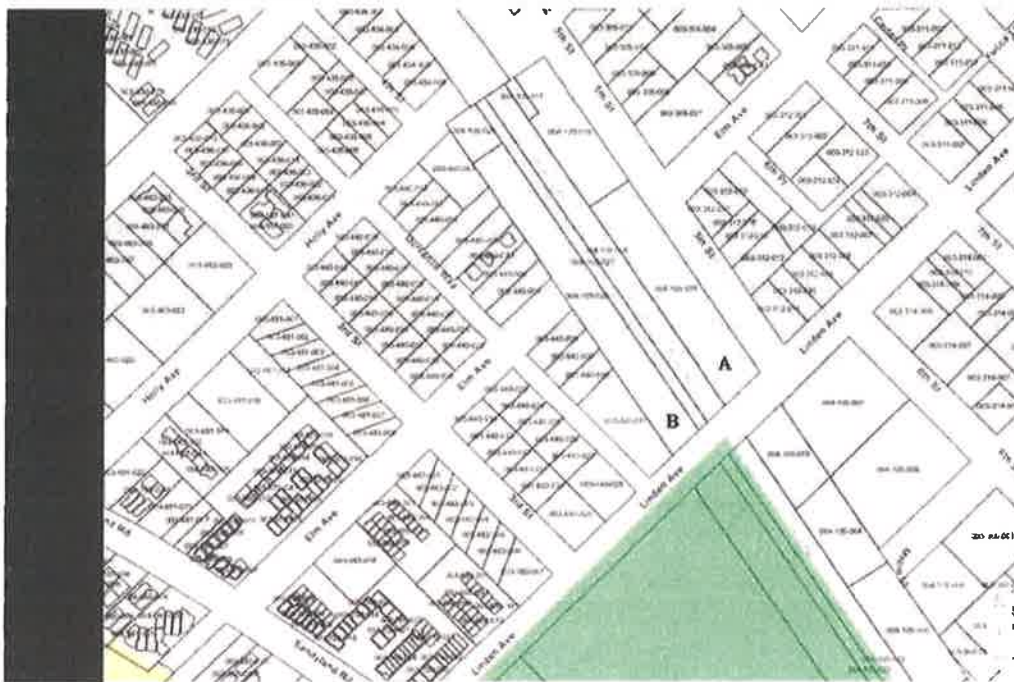
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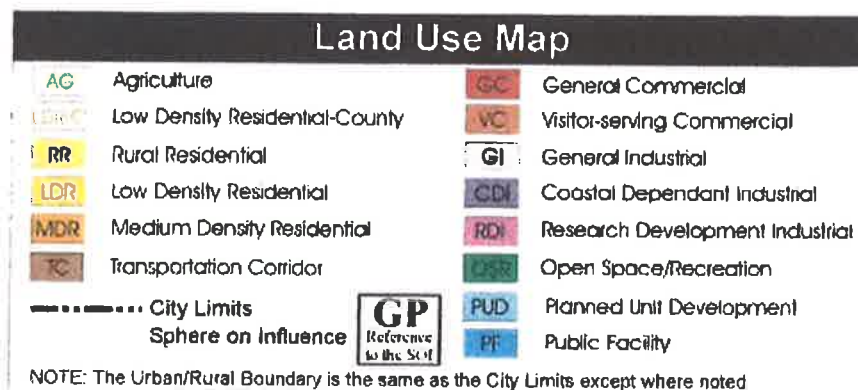
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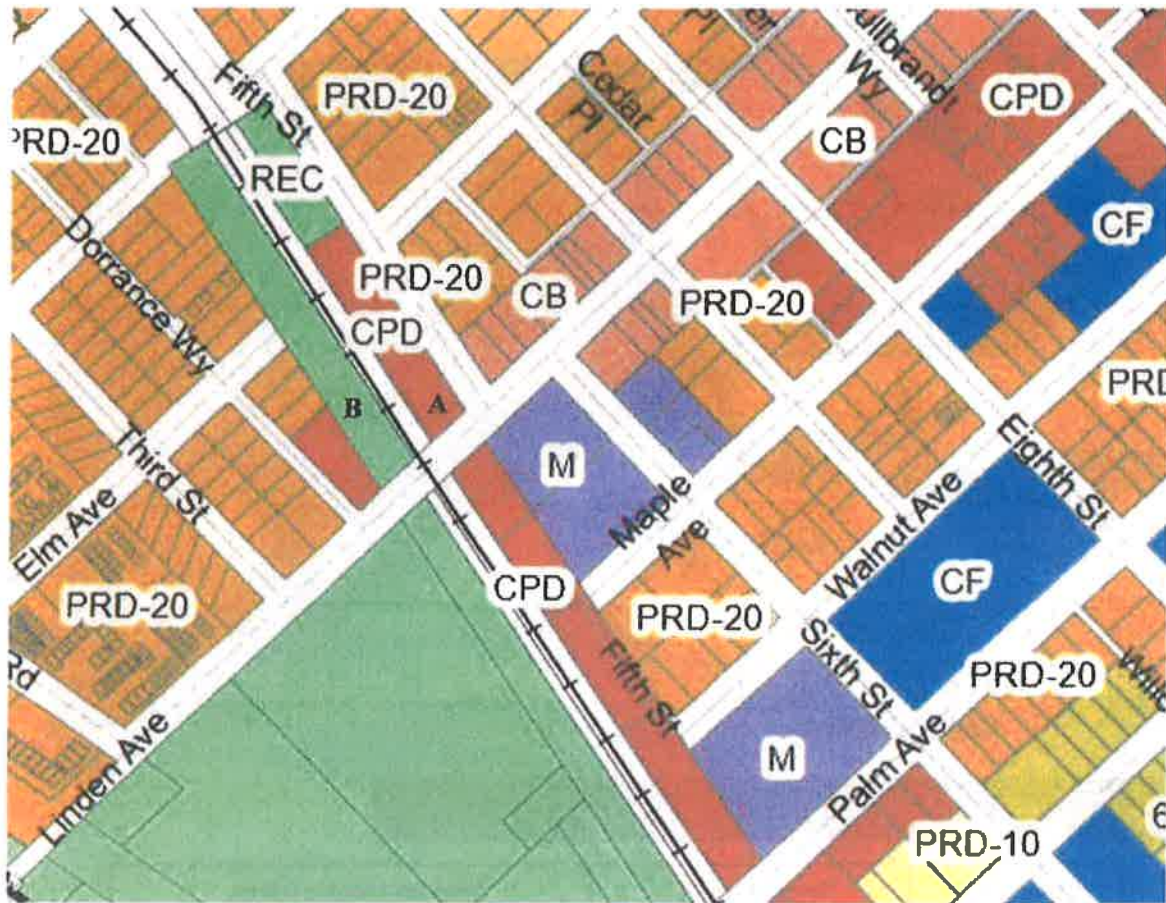
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Parcel One of Parcel Map No. 25,143, in the City of Carpinteria, County of Santa Barbara, State of California as per Parcel Map filed in Book 43 Pages 62 and 63 of Parcel Maps, in the Office of the County Recorder of said County.

Grantor hereby excepts from the property hereby conveyed and reserves unto itself, its successors and assigns, all minerals and mineral rights, interests, and royalties, including without limiting the generality thereof, oil, gas and other hydrocarbon substances, as well as metallic or other solid minerals, in and under said property; however, Grantor or its successors and assigns shall not have the right for any purpose whatsoever to enter upon, into or through the surface of said property in connection therewith.

This Grant is made subject to all covenants, conditions, restrictions, exceptions, easements, rights of way, rights of access, agreements, reservations, encumbrances, liens and other matters as

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

- 2 -

the same may be of record; any matter which would be disclosed by survey, investigation or inquiry; and any tax, assessment or other governmental lien against said property.

Dated: MAY 18, 1989

SPTC HOLDING, INC.,
a Delaware corporation

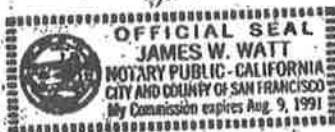
By: [Signature]
Title: Vice President - Real Estate

By: [Signature]
Title: Secretary

STATE OF CALIFORNIA
City and County of San Francisco

On this 18th day of May, in the year One Thousand Nine Hundred and Eighty Nine
before me, JAMES W. WATT, a Notary Public in and for the City and County of San Francisco, State of California, personally appeared

(Signature Public Building)



Corporation

My Commission Expires August 9, 1991

S.D. Steel
personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the Vice President, and
T. F. O'Donnell personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the Secretary of the Corporation that executed the within instrument and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.
WITNESS my hand and official seal.

[Signature]
Notary Public in and for the City and County of San Francisco, State of California.

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

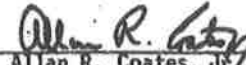
CERTIFICATE OF ACCEPTANCE
Government Code Section 27281

This is to Certify, that the City of Carpinteria, grantee herein, hereby accepts for public purposes the real property, or interest therein, conveyed by the within deed and consents to the recordation thereof.

In Witness Whereof, I have hereunto set my hand this 18th day of May, 1989.

CITY OF CARPINTERIA

By:


Allan R. Coates, Jr.
City Manager/Clerk

STATE OF CALIFORNIA
COUNTY OF SANTA BARBARA

} ss

On May 18, 1989, before me, Deputy City Clerk for the CITY OF CARPINTERIA, personally appeared Allan R. Coates, Jr., known to me to be the City Manager of the CITY OF CARPINTERIA, and known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same on behalf of the CITY OF CARPINTERIA.


Jayne A. Diaz
Deputy City Clerk

RESOLUTION NO. 6094

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING AN INITIATIVE MEASURE TO CHANGE AND/OR READOPT THE CITY OF CARPINTERIA'S GENERAL PLAN DESIGNATION AND ZONING DESIGNATION FOR TWO PARCELS OF CITY-OWNED PROPERTY (APN 004-105-011 AND APN 004-105-026) LOCATED ADJACENT TO THE RAILROAD TRACKS TO THE WEST OF LINDEN AVENUE AND TO AMEND THE DEFINITION OF THE OPEN SPACE/ RECREATION (OSR) LAND USE CATEGORY OF THE GENERAL PLAN LAND USE ELEMENT, AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

WHEREAS, the City of Carpinteria's ("City") regular general municipal election, to be consolidated with the statewide general election, is to be held in the City of Carpinteria, California, on November 8, 2022, at which there will be submitted to the voters an initiative measure that shall appear on the ballot in substantially the following form:

Shall the Measure to Change and/or Readopt the City of Carpinteria's General Plan Designation and Zoning Designation for Two Parcels of City-Owned Property (APN 004-105-011 and APN 004-105-026 Located Adjacent to the Railroad Tracks to the West of Linden Avenue and to Amend the Definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land Use Element be adopted?	YES
	NO

NOW, THEREFORE, THE CITY COUNCIL DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the City Council authorizes the following member(s) of the City Council to file written argument(s) not exceeding 300 words against the initiative measure, accompanied by the printed name(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California:

_____, Councilmember Against
_____, Councilmember Against
_____, Councilmember Against
_____, Councilmember Against
_____, Councilmember Against

SECTION 2. The arguments shall be filed with the City Clerk no later than August 4, 2022 by 5:00 P.M., signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument. The arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument. The arguments may be changed or withdrawn until and including the date fixed herein after which no arguments for or against the City measure may be submitted to the City Clerk. Additionally, the proponents of the Initiative may submit an argument in favor of the initiative measure not exceeding 300 words in length. In the event more than one argument in support of a position is submitted, the City Clerk will decide which argument for or against will be published in accord with Elections Code Section 9287.

SECTION 3. That the City Council directs the City Clerk to transmit a copy of the measure to the City Attorney.

- a. The City Attorney shall prepare an impartial analysis of the measure not exceeding 500 words showing the effect of the measure on the existing law and the operation of the measure.
- b. The analysis shall include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the City.
- c. In the event the entire text of the measure is not printed on the ballot, nor in the voter information portion of the voter information guide, there shall be printed immediately below the impartial analysis, in no less than 10-point type, the following: "The above statement is an impartial analysis of the Initiative Measure entitled 'An Initiative Measure to Change and/or Readopt the City of Carpinteria's General Plan Designation and Zoning Designation for Two Parcels of City-Owned Property (APN 004-105-011

and APN 004-105-026) Located Adjacent to the Railroad Tracks to the West of Linden Avenue and to Amend the Definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land Use Element.' If you desire a copy of the Initiative Measure, please call the City Clerk's Office at (805) 755-4446 and a copy will be mailed at no cost to you."

- d. The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED on the 10th day of January, 2022, by the following vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

Mayor, City of Carpinteria

ATTEST:

Acting 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 on January 10, 2022.

Acting City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP Acting as
City Attorney of the City of Carpinteria

RESOLUTION NO. 6095

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR AN INITIATIVE MEASURE TO CHANGE AND/OR READOPT THE CITY OF CARPINTERIA'S GENERAL PLAN DESIGNATION AND ZONING DESIGNATION FOR TWO PARCELS OF CITY-OWNED PROPERTY (APN 004-105-011 AND APN 004-105-026) LOCATED ADJACENT TO THE RAILROAD TRACKS TO THE WEST OF LINDEN AVENUE AND TO AMEND THE DEFINITION OF THE OPEN SPACE/ RECREATION (OSR) LAND USE CATEGORY OF THE GENERAL PLAN LAND USE ELEMENT

WHEREAS, Elections Code Section 9282 provides for written arguments to be filed in favor of or against measures placed on the ballot by petition, which shall not exceed 300 words in length; and

WHEREAS, Elections Code Section 9285 authorizes the City Council, by majority vote, to adopt provisions to provide for the filing of rebuttal arguments.

NOW, THEREFORE, THE CITY COUNCIL DOES BE IT RESOLVED, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to Section 9285 of the Elections Code of the State of California, when the Elections Official has selected the arguments for and against the measure which will be printed and distributed to the voters, the Elections Official shall send a copy of an argument in favor of the proposition to the authors of any argument against the measure and a copy of an argument against the measure to the authors of any argument in favor of the measure immediately upon receiving the arguments.

The author or a majority of the authors of an argument relating to a City measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument.

A rebuttal argument shall not be signed by more than five authors.

The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and

signature of at least one of its principal officers, not more than 10 days after the final date for filing direct arguments. The rebuttal arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument.

Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

SECTION 2. That all previous resolutions providing for the filing of rebuttal arguments for City measures are repealed.

SECTION 3. That the provisions of Section 1 shall apply only to the election to be held on November 8, 2022, and then shall be repealed.

SECTION 4. The City Council recognizes that at the time this Resolution is adopted that the City is still in a state of local emergency relating to the COVID-19 pandemic and that as such, it may be necessary to adjust the procedures, rules and policies for filing of rebuttal arguments in order to ensure social distancing and safe practices to prevent the spread of the virus. The City Council therefore authorizes the City Clerk to modify the form, method, and manner of submittal of rebuttal arguments should the same be necessary to prevent the spread of COVID-19. Such modification may include the acceptance of electronic submittals. This authorization to the City Clerk shall not include the authority to adjust, amend, or modify the date or time by which such rebuttals are due or the length of such rebuttals.

PASSED, APPROVED AND ADOPTED on the 10th day of January, 2022, by the following vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

Mayor, City of Carpinteria

ATTEST:

Acting 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 on January 10, 2022.

Acting City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP Acting as
City Attorney of the City of Carpinteria

ATTACHMENT D

**Resolution Nos. 6088 – 6091, pertaining to April 12, 2022 or April 19, 2022
Special Stand-Alone Municipal Election**

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RESOLUTION NO. 6088

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CARPINTERIA CALLING AND GIVING NOTICE OF A SPECIAL
MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL [REDACTED],
2022 FOR THE SUBMISSION OF AN INITIATIVE MEASURE TO
CHANGE AND/OR READOPT THE CITY OF CARPINTERIA'S
GENERAL PLAN DESIGNATION AND ZONING DESIGNATION
FOR TWO PARCELS OF CITY-OWNED PROPERTY (APN 004-
105-011 AND APN 004-105-026) LOCATED ADJACENT TO THE
RAILROAD TRACKS TO THE WEST OF LINDEN AVENUE AND
TO AMEND THE DEFINITION OF THE OPEN
SPACE/RECREATION (OSR) LAND USE CATEGORY OF THE
GENERAL PLAN LAND USE ELEMENT**

WHEREAS, pursuant to Election Code Section 1405(b), the City Council of the City of Carpinteria desires to submit to the voters of the City an initiative measure entitled "An Initiative Measure to Change and/or Readopt the City of Carpinteria's General Plan Designation and Zoning Designation for Two Parcels of City-Owned Property (APN 004-105-011 and APN 004-105-026) Located Adjacent to the Railroad Tracks to the West of Linden Avenue and to Amend the Definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land Use Element" ("Initiative"); and

WHEREAS, the City Council desires to call a special election for the Initiative to be held on the election date of April [REDACTED], 2022; and

WHEREAS, the Santa Barbara County Elections Division will be unable to conduct, nor consolidate said special election with another election to be held in April of 2022,;

NOW, THEREFORE, THE CITY COUNCIL DOES RESOLVE, DECLARE DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are hereby adopted.

SECTION 2. That pursuant to the laws of the State of California relating to general law cities, a special municipal election is called and ordered to be held in the City of Carpinteria, California, on Tuesday, April [REDACTED], 2022 for the purpose of submitting the Initiative to the qualified voters of the City.

SECTION 3. That the proposed text of the Initiative to be submitted to the voters is attached hereto as Exhibit 1 and incorporated herein by this reference.

SECTION 4. The City Council does order submitted to the voters at the special municipal election the following question, printed in substantially the following form:

Shall the Measure to Change and/or Readopt the City of Carpinteria's General Plan Designation and Zoning Designation for Two Parcels of City-Owned Property (APN 004-105-011 and APN 004-105-026) Located Adjacent to the Railroad Tracks to the West of Linden Avenue and to Amend the Definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land Use Element be adopted?	YES
	NO

SECTION 5. That the vote requirement for the measure to pass shall be a majority of the votes cast (50% + 1).

SECTION 6. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 7. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment, precinct board members, poll locations, and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 8. That the polls shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Elections Code Section 10242, except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 9. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 10. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 11. The City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

PASSED, APPROVED AND ADOPTED on the 10th day of January, 2022, by the following vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

Mayor, City of Carpinteria

ATTEST:

Acting 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 on January 10, 2022.

Acting City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP Acting as
City Attorney of the City of Carpinteria

EXHIBIT 1 TO RESOLUTION NO. 6088

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

The people of the City of Carpinteria do ordain as follows:

Section 1. Title.

This initiative measure ("Initiative") shall be known as the "Save Our Downtown and Beach Parking Lot Initiative."

Section 2. Findings and Purpose.

A. Findings. The people of the City of Carpinteria find and declare the following:

- 1. The approximately 1.15-acre property located at 499 Linden Avenue (APN 004-105-011), labeled as Parcel A, Downtown and Beach Parking Lot, on Exhibits A, B & C, currently consists of City Parking Lot #3 or Downtown and Beach Parking Lot. The City of Carpinteria's General Plan classifies this property as General Commercial. The property is adjacent to the Carpinteria Community Garden Park.**
- 2. This property is owned by the City of Carpinteria. On May 18, 1989 the City accepted this property from Southern Pacific (SPTC Holding, Inc.) for public purposes, as shown on Exhibit D to this Initiative.**
- 3. The approximately 1.27-acre property located at 399 Linden Avenue on the south side of the railroad tracks (APN 004-105-026), labeled as Parcel B, Coastal Open Space Corridor, on Exhibits A, B & C, currently consists of Open Space. The General Plan designates these properties as Open Space/Recreation. The property was acquired by the City in 2013.**
- 4. The General Plan contains policies to protect, preserve and enhance local natural resources, to provide adequate parking for the public and for public coastal access, to avoid placing development where exposed to hazards of transportation corridors, and for ensuring that zoning and development is consistent with zoning and development on adjacent and nearby parcels.**
- 5. The purpose of the General Plan land use designation is to establish the type and intensity of land uses on properties consistent with their designation in the General Plan Land Use Element and Land Use Map. The zoning designations for each property must be consistent with the General Plan designation.**
- 6. The voters seek to preserve the Downtown and Beach Parking Lot for its current use as a public parking lot, and to preserve the Coastal Open Space Corridor in its current open space/habitat corridor status, and thereby wish to propose this Initiative, which will re-designate and re-zone these properties, by Initiative, so that their zoning is fixed and cannot be changed absent a vote of the people.**

B. Purpose. The purpose of this Initiative is to amend the General Plan designation and zoning of the Downtown and Beach Parking Lot and Coastal Open Space Corridor in

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

order to maintain the current use of those sites. The General Plan designations and zoning for these sites will create a consistency of designations and zoning across these nearby sites, also including the Carpinteria Community Garden Park. The Downtown and Beach Parking Lot will remain zoned for public parking use and purposes, but not for other commercial uses, with allowance for limited residential-only use consistent with the Residential overlay zone as required by California Government Code section 66330, subdivision (b)(1)(A).

Section 3. City of Carpinteria General Plan Amendments

A. The voters hereby amend the General Plan Diagram (excerpt shown in Exhibit B) of the City of Carpinteria to:

1. Change the General Plan designation of the Downtown and Beach Parking Lot property from General Commercial (GC), to Open Space Recreation (OSR).
2. Re-adopt, by this Initiative, the Open Space Recreation (OSR) designation on the Coastal Open Space Corridor property, as shown on Exhibit B.

B. The voters hereby amend the text of Land Use Map descriptions as follows (additions shown in underline, non-underlined text is not being amended and is shown for context only):

1. Open Space/Recreation (OSR) The OSR land use category is intended to provide recreational areas (passive or active), including existing parking, City parks, beaches, golf courses and related uses. It also identifies open space areas. The OSR land use category may also provide for residential uses, only if the property is included in the Residential overlay zone.

Section 4. Zoning Amendments

The voters hereby amend the Zoning Map (excerpt shown in Exhibit C) of the City of Carpinteria, to:

1. Change the zoning on the Downtown and Beach Parking Lot property, as shown on Exhibit C, from CPD to REC/R.
2. Re-adopt, by this Initiative, the zoning on the Coastal Open Space Corridor property, as shown on Exhibit C, as REC.

Section 5. Effect of Initiative on General Plan Land Use Classification and Zoning on Subject Properties Only

This Initiative adopts General Plan designations and zoning designations only for the Downtown and Beach Parking Lot and Coastal Open Space Corridor properties, which are specifically identified in this Initiative. The Initiative does not adopt, alter, or change any other land use classifications or zoning on any other real property in the City of Carpinteria.

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Section 6. Implementation

- A. This Initiative is considered adopted and effective upon the earliest date legally possible after either the City Council adopts the Initiative as law upon its qualification or, if it is placed on the ballot, the elections official certifies the vote on the Initiative by the voters of the City of Carpinteria. Upon the effective date of this Initiative, the City is directed to promptly take all appropriate actions needed to implement this Initiative, including but not limited to taking any administrative steps necessary to update any and all City maps, figures, and any other documents maintained by the City so they conform to the legislative policies set forth in this Initiative.
- B. Upon the effective date of this Initiative, the General Plan amendments of Section 3 of this Initiative are hereby inserted into the General Plan; except that if the four amendments of any mandatory element of the General Plan permitted by state law for any calendar year have already been utilized in the year in which this Initiative becomes effective, the General Plan amendments set forth in this Initiative shall be the first amendments inserted into the General Plan on January 1 of the next year. The City may reorganize, renumber, and/or reformat the General Plan provisions of Section 3 of this Initiative, provided that the full text is inserted into the General Plan without alteration.
- C. The General Plan in effect on the date of filing of the Notice of Intent to Circulate this Initiative ("Filing Date"), and the General Plan as amended by this Initiative, comprise an integrated, internally consistent, and compatible statement of policies for the City. To ensure that the City's General Plan remains an integrated, internally consistent, and compatible statement of policies for the City, any provision of the General Plan that is adopted between the Filing Date and the effective date of the General Plan amendments adopted by this Initiative shall, to the extent that such interim-enacted provision is inconsistent with or would diminish, render invalid, defeat, or impair the General Plan amendments adopted by this Initiative, be amended as soon as possible and in the manner and time required by state law to ensure consistency between the provisions adopted by this Initiative and other elements of the General Plan.
- D. Upon the effective date of this Initiative, the provisions of Section 4 (Zoning Amendments) of this Initiative are hereby inserted into the Carpinteria Municipal Code. The City may reorganize, renumber, and/or reformat the provisions of Section 4 of this Initiative, provided that the full text is inserted into the Municipal Code without alteration.

Section 7. Effect of Other Measures on the Same Ballot

It is the voters' intent to comprehensively establish the potential future uses and development of the specific properties that are subject to the Initiative, including preservation of Coastal Open Space Corridor in its current open space state and the preservation of the Downtown and Beach Parking Lot for continued parking uses. To ensure that this intent is not frustrated, and in the event this Initiative is not adopted by the City Council as law, this Initiative shall be presented to the voters as an alternative to, and with the express intent that it will compete with, any and all

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

voter initiatives or City-sponsored measures placed on the same ballot as this Initiative and which, if approved, would regulate the use or development of the subject properties in any manner whatsoever (each, a "Conflicting Initiative"). In the event that this Initiative and one or more Conflicting Initiatives are adopted by the voters at the same election, then it is the voters' intent that only that measure that receives the greatest number of affirmative votes shall control in its entirety and said other measure or measures shall be rendered void and without any legal effect. In no event shall this Initiative be interpreted in a manner that would permit its operation in conjunction with the non-conflicting provisions of any Conflicting Initiative. If this Initiative is approved by the voters but superseded by law in whole or in part by any other Conflicting Initiative approved by the voters at the same election, and such Conflicting Initiative is later held invalid, this Initiative shall be self-executing and given full force of law.

Section 8. Interpretation and Severability

A. This Initiative must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Initiative. The voters declare that this Initiative, and each section, sub-section, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Initiative that can be given effect without the invalid application.

B. If any portion of this Initiative is held by a court of competent jurisdiction to be invalid, we the People of the City of Carpinteria indicate our strong desire that: (i) the City Council use its best efforts to sustain and re-enact that portion, and (ii) the City Council implement this Initiative by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Initiative, including adopting or reenacting any such portion in a manner consistent with this Initiative.

C. The Proponents of this Initiative, and any committee formed to support this Initiative, shall have standing to enforce and defend the provisions of this Initiative in any judicial forum, as necessary.

D. This Initiative must be broadly construed in order to achieve the purposes stated above. It is the intent of the voters that the provisions of this Initiative be interpreted or implemented by the City and others in a manner that facilitates the purpose set forth in this Initiative.

Section 9. Amendment

The provisions of this Initiative can be amended or repealed only by a majority of voters of the City of Carpinteria voting in an election held in accordance with state law.

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Section 10. Inconsistent Provisions Repealed

Any provisions of the City of Carpinteria Municipal Code, or any other ordinances of the City inconsistent with this Initiative, to the extent of such inconsistencies and no further, are hereby repealed. This Initiative expresses the voters' intent to eliminate any possible inconsistency between existing code provisions and the amended General Plan designations and zoning designations.

Section 11. Exhibits

The following Exhibits A-D are provided for reference for the voters and incorporated by reference herein. The maps are intended to provide context and information regarding the location and current General Plan designations and zoning designations of the Downtown and Beach Parking Lot and the Coastal Open Space Corridor, as well as the designations of surrounding properties. The inclusion of the maps does not amend the General Plan or zoning designations of any property other than those specifically amended in this Initiative.

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Exhibit A Identification of Affected Properties

Obtained from Santa Barbara County Geographic Information System.

Santa Barbara County Land Use and Zoning Map



Parcel Label	APN	Referenced in Initiative By Name
A	004-105-011	Downtown and Beach Parking Lot
B	004-105-026	Coastal Open Space Corridor

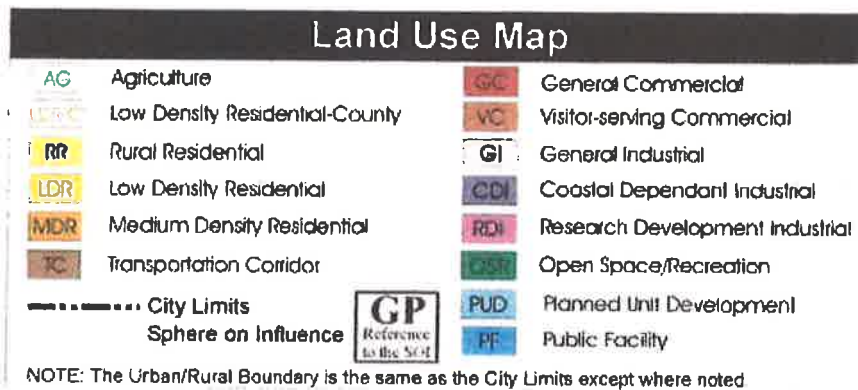
INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Exhibit B General Plan Designations



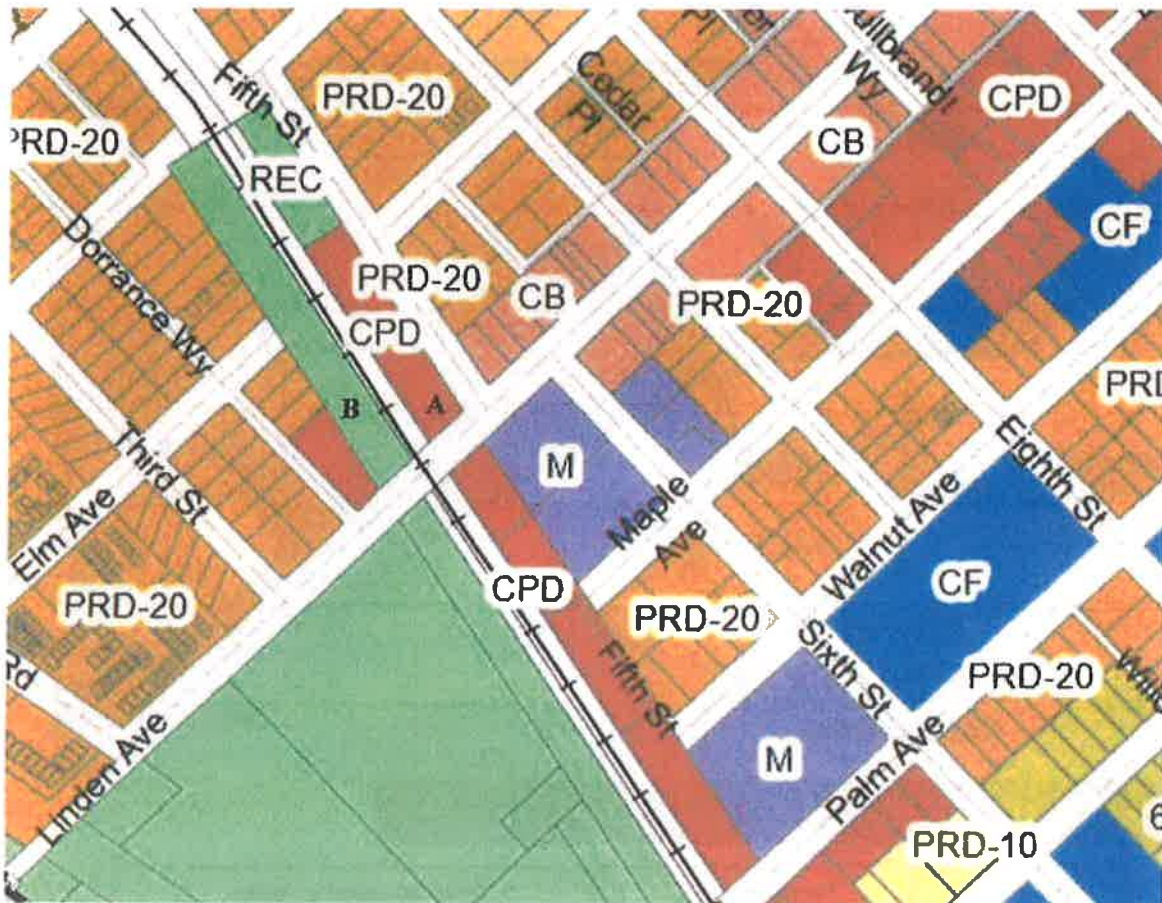
Land Use Map

Parcel Label	Current Designation	Designation Adopted by Initiative
A	GC	OSR
B	OSR	OSR



INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Exhibit C
Zoning Designations



Parcel Label	Current Designation	Designation Adopted by Initiative
A	CPD	REC/R
B	REC	REC

ZONING DISTRICTS

Residential

- PRD-13 Planned Residential Development District - Maximum Density 13 Units/Acre
- 8-R-1 Single Family Residential District - Minimum Lot Size 8,000 square feet
- PRD-10 Planned Residential Development District - Maximum Density 10 Units/Acre
- PUD Planned Unit Development District
- 7-R-1 Single Family Residential District - Minimum Lot Size 7,000 square feet
- PRD-20 Planned Residential Development District - Maximum Density 20 Units/Acre
- 6-R-1 Single Family Residential District - Minimum Lot Size 6,000 square feet
- 4-R-1 Single Family Residential District - Minimum Lot Size 4,000 square feet
- 20-R-1 Single Family Residential District - Minimum Lot Size 20,000 square feet
- PRD-4 Planned Residential Development District - Maximum Density 4 Units/Acre
- PRD-18 Planned Residential Development District - Maximum Density 18 Units/Acre
- PUD-4.6 Planned Unit Development District - Maximum Density 4.6 Units/Acre
- PUD-5 Planned Unit Development District - Maximum Density 5 Units/Acre
- PRD-15 Planned Residential Development District - Maximum Density 15 Units/Acre
- MHP Mobile Home Park Planned Development District
- CITY BOUNDARY

Industrial

- M General Industrial District
- M-CD Coastal Industrial District
- M-RP Industrial/ Research Park District

Commercial

- CPD Commercial Planned Development District
- CB Central Business District
- CPD/R Commercial Planned Development District/ Residential Overlay
- RBS Resort District

Other

- UT Public Utility District
- A-10 Agricultural - Minimum 10-Acre Parcel
- REC Recreation District
- A-5 Agricultural - Minimum 5-Acre Parcel
- CF Community Facility District

Schools

- Elementary School
- High School
- Middle School

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

Exhibit D

Corporation Grant Deed and Certificate of Acceptance for Downtown and Beach Parking Lot

RECORDING REQUESTED BY

TICOR TITLE INS.
#200795-KAT

AND WHEN RECORDED MAIL TO

ALAN R. COATES, JR.
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93013

MAIL TAX STATEMENTS TO

same as above

89-034263

Recorded
Official Records
County of
Santa Barbara
Kenneth A. Pettit
Recorder
8:00am 25-May-89

Rec Fee .00
Total .00

ML 3

NO TAX DUE

NO FEE

APN 13-010-04

CORPORATION GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, SPTC HOLDING, INC., a corporation organized under the laws of the State of Delaware, does hereby GRANT to CITY OF CARPINTERIA, a Municipal corporation, the real property in the City of Carpinteria, County of Santa Barbara, State of California, described as

Parcel One of Parcel Map No. 25,143, in the City of Carpinteria, County of Santa Barbara, State of California as per Parcel Map filed in Book 43 Pages 62 and 63 of Parcel Maps, in the Office of the County Recorder of said County.

Grantor hereby excepts from the property hereby conveyed and reserves unto itself, its successors and assigns, all minerals and mineral rights, interests, and royalties, including without limiting the generality thereof, oil, gas and other hydrocarbon substances, as well as metallic or other solid minerals, in and under said property; however, Grantor or its successors and assigns shall not have the right for any purpose whatsoever to enter upon, into or through the surface of said property in connection therewith.

This Grant is made subject to all covenants, conditions, restrictions, exceptions, easements, rights of way, rights of access, agreements, reservations, encumbrances, liens and other matters as

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

- 2 -

the same may be of record; any matter which would be disclosed by survey, investigation or inquiry; and any tax, assessment or other governmental lien against said property.

Dated: MAY 18, 1989

SPTC HOLDING, INC.,
a Delaware corporation

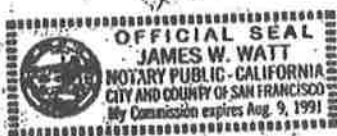
By: [Signature]
Title: Vice President - Real Estate

By: [Signature]
Title: Secretary

STATE OF CALIFORNIA
City and County of San Francisco

On this 18th day of May in the year One Thousand Nine Hundred and Eighty Nine
before me, JAMES W. WATT, a Notary Public in and for the City and County of San Francisco, State of California, personally appeared

(Signature of Notary)



Corporation

My Commission Expires August 9, 1991

S.D. Steel
personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the Vice President, and
T.E. O'Donnell personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the Secretary of the Corporation that executed the within instrument and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.
WITNESS my hand and official seal.

James W. Watt
Notary Public in and for the City and County of San Francisco, State of California.

INITIATIVE MEASURE TO BE DIRECTLY SUBMITTED TO THE VOTERS

CERTIFICATE OF ACCEPTANCE
Government Code Section 27281

This is to Certify, that the City of Carpinteria, grantee herein, hereby accepts for public purposes the real property, or interest therein, conveyed by the within deed and consents to the recordation thereof.

In Witness Whereof, I have hereunto set my hand this 18th day of May, 1989.

CITY OF CARPINTERIA

By: Allan R. Coates, Jr.
Allan R. Coates, Jr.
City Manager/Clerk

STATE OF CALIFORNIA }
COUNTY OF SANTA BARBARA } §§

On May 18, 1989, before me, Deputy City Clerk for the CITY OF CARPINTERIA, personally appeared Allan R. Coates, Jr., known to me to be the City Manager of the CITY OF CARPINTERIA, and known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same on behalf of the CITY OF CARPINTERIA.

Jayne A. Diaz
Jayne A. Diaz
Deputy City Clerk

RESOLUTION NO. 6089

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CARPINTERIA REQUESTING THE BOARD OF SUPERVISORS OF
THE COUNTY OF SANTA BARBARA TO RENDER SPECIFIED
SERVICES TO THE CITY OF CARPINTERIA RELATING TO THE
CONDUCT OF A SPECIAL STAND-ALONE MUNICIPAL ELECTION TO
BE HELD ON TUESDAY, APRIL [REDACTED], 2022**

WHEREAS, a Special Stand-Alone Municipal Election is to be held in the City of Carpinteria, California ("City"), on Tuesday, April [REDACTED], 2022; and

WHEREAS, in the course of conduct of the election it is necessary for the City to request services of the Santa Barbara County Elections/Registrar of Voters ("County Elections Office"); and

WHEREAS, all necessary expenses in performing these services shall be paid by the City of Carpinteria.

**NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY RESOLVE,
DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

SECTION 1. The above recitals are true and correct.

SECTION 2. That pursuant to the provisions of § 10002 of the Elections Code of the State of California, the City Council requests the Santa Barbara County Board of Supervisors to permit the County Elections Office to prepare and furnish the following for use in conducting the election:

1. Electronic files of county precincts with number of registered voters in each, consolidation of precincts into city voting precincts as directed by the City Clerk, and maps of the voting precincts;
2. Electronic files listed by City's consolidated precincts, including confidential voters and foreign language voters clearly indicated, for Military and Overseas voters mailing, Permanent Vote-by-Mail voter mailing, E-54 voters, E-54 through E-15 newly registered voters (excluding changes to address, parties and the like), and other electronic files as requested;
3. A list of polling places and poll workers the county uses for their elections;
4. Voter signature verification services as needed;
5. Temporary use of ballot drop-off boxes, within the City during the Vote

- by-Mail period, and for one week following the election;
6. Precinct supplies, including precinct supply bins, as requested;
 7. Make available to the City election equipment and assistance as needed according to State law.

SECTION 3. That the City shall reimburse the County for services performed when the work is completed and upon presentation to the City of a properly approved bill.

SECTION 4. That the City Clerk is directed to forward without delay to the Board of Supervisors and to the County Elections Office, each a certified copy of this resolution.

SECTION 5. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED on the 10th day of January, 2022, by the following vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

ABSTAIN: COUNCILMEMBER(S):

ATTEST:

Mayor, City of Carpinteria

Acting City Clerk, City of Carpinteria

I hereby certify that the foregoing resolution was adopted at a regular meeting of the City Council of the City of Carpinteria held on January 10, 2022.

Acting City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP acting as
City Attorney of the City of Carpinteria

RESOLUTION NO. 6090

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING AN INITIATIVE MEASURE TO CHANGE AND/OR READOPT THE CITY OF CARPINTERIA'S GENERAL PLAN DESIGNATION AND ZONING DESIGNATION FOR TWO PARCELS OF CITY-OWNED PROPERTY (APN 004-105-011 AND APN 004-105-026) LOCATED ADJACENT TO THE RAILROAD TRACKS TO THE WEST OF LINDEN AVENUE AND TO AMEND THE DEFINITION OF THE OPEN SPACE/ RECREATION (OSR) LAND USE CATEGORY OF THE GENERAL PLAN LAND USE ELEMENT, AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

WHEREAS, a special municipal election is to be held in the City of Carpinteria, California, on April ____, 2022, at which there will be submitted to the voters an initiative measure that shall appear on the ballot in substantially the following form:

Shall the Measure to Change and/or Readopt the City of Carpinteria's General Plan Designation and Zoning Designation for Two Parcels of City-Owned Property (APN 004-105-011 and APN 004-105-026) Located Adjacent to the Railroad Tracks to the West of Linden Avenue and to Amend the Definition of the Open Space/Recreation (OSR) Land Use Category of the General Plan Land Use Element be adopted?	YES
	NO

NOW, THEREFORE, THE CITY COUNCIL DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the City Council authorizes the following member(s) of the City Council to file written argument(s) not exceeding 300 words against the initiative measure, accompanied by the printed name(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California:

_____, Councilmember Against
_____, Councilmember Against
_____, Councilmember Against
_____, Councilmember Against
_____, Councilmember Against

SECTION 2. The arguments shall be filed with the City Clerk no later than January 24, 2022, by 5:00 P.M., signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument. The arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument. Arguments may be changed or withdrawn until and including the date fixed herein after which no arguments for or against the City measure may be submitted to the City Clerk. Additionally, the proponents of the Initiative may submit an argument in favor of the initiative measure not exceeding 300 words in length. In the event more than one argument in support of a position is submitted, the City Clerk will decide which argument for or against will be published in accord with Elections Code Section 9287.

SECTION 3. The City Council directs the City Clerk to transmit a copy of the measure to the City Attorney.

- a. The City Attorney shall prepare an impartial analysis of the measure not exceeding 500 words showing the effect of the measure on the existing law and the operation of the measure.
- b. The analysis shall include a statement indicating whether the measure was placed on the ballot by a petition signed by the requisite number of voters or by the governing body of the City.
- c. In the event the entire text of the measure is not printed on the ballot, nor in the voter information portion of the voter information guide, there shall be printed immediately below the impartial analysis, in no less than 10-point type, the following: "The above statement is an impartial analysis of the Initiative Measure entitled 'An Initiative Measure to Change and/or Readopt the City of Carpinteria's General Plan Designation and Zoning Designation for Two Parcels of City-Owned Property (APN 004-105-011 and APN 004-105-026) Located Adjacent to the Railroad Tracks to the West of Linden Avenue and to Amend the Definition of the Open

Space/Recreation (OSR) Land Use Category of the General Plan Land Use Element.' If you desire a copy of the Initiative Measure, please call the City Clerk's Office at (805) 755-4446 and a copy will be mailed at no cost to you."

- d. The impartial analysis shall be filed no later than January 24, 2022, by 5:00 p.m., the deadline set by the City Clerk for the filing of primary arguments.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED on the 10th day of January, 2022, by the following vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

Mayor, City of Carpinteria

ATTEST:

Acting 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 on January 10, 2022.

Acting City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP Acting as
City Attorney of the City of Carpinteria

RESOLUTION NO. 6091

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CARPINTERIA, CALIFORNIA, PROVIDING FOR THE FILING OF
REBUTTAL ARGUMENTS FOR AN INITIATIVE MEASURE TO CHANGE
AND/OR READOPT THE CITY OF CARPINTERIA'S GENERAL PLAN
DESIGNATION AND ZONING DESIGNATION FOR TWO PARCELS OF CITY-
OWNED PROPERTY (APN 004-105-011 AND APN 004-105-026) LOCATED
ADJACENT TO THE RAILROAD TRACKS TO THE WEST OF LINDEN
AVENUE AND TO AMEND THE DEFINITION OF THE OPEN SPACE/
RECREATION (OSR) LAND USE CATEGORY OF THE GENERAL PLAN
LAND USE ELEMENT**

WHEREAS, Elections Code Section 9282 provides for written arguments to be filed in favor of or against measures placed on the ballot by petition, which shall not exceed 300 words in length; and

WHEREAS, Elections Code Section 9285 authorizes the City Council, by majority vote, to adopt provisions to provide for the filing of rebuttal arguments for measures submitted at municipal elections.

**NOW, THEREFORE, THE CITY COUNCIL DOES BE IT RESOLVED,
DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

SECTION 1. That pursuant to Section 9285 of the Elections Code of the State of California, when the Elections Official has selected the arguments for and against the measure which will be printed and distributed to the voters, the Elections Official shall send a copy of an argument in favor of the proposition to the authors of any argument against the measure and a copy of an argument against the measure to the authors of any argument in favor of the measure immediately upon receiving the arguments.

The author or a majority of the authors of an argument relating to a City measure may prepare and submit a rebuttal argument not exceeding 250 words or may authorize in writing any other person or persons to prepare, submit, or sign the rebuttal argument.

A rebuttal argument shall not be signed by more than five authors.

The rebuttal arguments shall be filed with the City Clerk, signed, with the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and

signature of at least one of its principal officers, not more than 10 days after the final date for filing direct arguments, February 3, 2022. The rebuttal arguments shall be accompanied by the Form of Statement To Be Filed By Author(s) of Argument.

Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut.

SECTION 2. That all previous resolutions providing for the filing of rebuttal arguments for City measures are repealed.

SECTION 3. That the provisions of Section 1 shall apply only to the special municipal election to be held on April ____, 2022, and then shall be repealed.

SECTION 4. The City Council recognizes that at the time this Resolution is adopted that the City is still in a state of local emergency relating to the COVID-19 pandemic and that as such, it may be necessary to adjust the procedures, rules and policies for filing of rebuttal arguments in order to ensure social distancing and safe practices to prevent the spread of the virus. The City Council therefore authorizes the City Clerk to modify the form, method, and manner of submittal of rebuttal arguments should the same be necessary to prevent the spread of COVID-19. Such modification may include the acceptance of electronic submittals. This authorization to the City Clerk shall not include the authority to adjust, amend, or modify the date or time by which such rebuttals are due or the length of such rebuttals.

SECTION 5. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED on the 10th day of January, 2022, by the following vote:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER:

Mayor, City of Carpinteria

ATTEST:

Acting 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 on January 10, 2022.

Acting City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jena Shoaf Acos, on behalf of Brownstein
Hyatt Farber Schreck, LLP Acting as
City Attorney of the City of Carpinteria



FPPC makes changes to fundraising-related payment reporting

Dec 15, 2021

The Fair Political Practices Commission (FPPC) recently amended Regulations [18424](#), [18424.1](#), [18424.2](#), and [18424.3](#), which govern how elected officials must report “behested payments.” Beginning Dec. 22, 2021, elected officials who fundraise for legislative, governmental, or charitable causes may need to change how they report payments that result from those fundraising efforts.

What are behested payments?

Behested payments are donations made to an individual, a government agency, or a nonprofit payee at the request of an elected official for a legislative, governmental, or charitable purpose. Generally, a payment is considered behested, and subject to reporting, if:

- The payment is made at the request, suggestion, or solicitation of, or in cooperation, consultation, coordination, or concert with an elected official
- The behesting official does not provide full and adequate consideration in exchange for the payment
- The payment is made for a legislative, governmental, or charitable purpose
- The payment does not qualify as a gift (made for personal purposes) or a contribution (made for election-related activity) to the elected official

- The value of the payment meets or exceeds the reporting threshold of \$5,000

When must behested payments be reported?

Elected officials must report behested payments when donations from a single source meet or exceed \$5,000 in a calendar year. Officials must report the behested payments within 30 days of the payments totaling \$5,000 or more. Any additional payments made by that same source in the same calendar year must also be reported within 30 days after the payment is made.

Who must report behested payments?

Only elected officials and California Public Utilities Commission members need to comply with the behested payment reporting requirements. All other public officials subject to the Fair Political Practices Act are not required to file the reports.

What does this mean for elected officials?

Officials must be aware when their actions meet the definition of having made a behest for payment. An official must also track behested payments from a single source over a calendar year to know when reporting requirements are triggered. Finally, because the regulations require an official to properly characterize and disclose the parties to, and the purpose of, behested payments, officials must work with an organization receiving behested payments to report the required information.

What needs to be included in the report?

The report must include the name and address of the payor; the amount of the payment(s); the date(s) the payment(s) were made; the name and address of the payee; a brief description of the goods or services provided or purchased, if any; and a description of the specific purpose or event for which the payment or payments were made.

What specific changes do the newly adopted regulations make to behested payment reporting?

Following a review of behested payment reporting issues, the FPPC identified four

areas they wanted to address through regulatory action. In updating these four regulations, the FPPC directed staff to balance timely, informative, and accurate public disclosure of behested payments with the need to not discourage the important charitable and governmental purposes that these payments support.

Regulation 18424

To promote transparency, Regulation 18424 requires additional disclosures about a reportable behested payment where, to the extent known by the elected official: (1) the official or a member of their immediate family has a relationship of control over, or is employed by, the payee; or (2) the payor of a behested payment is involved in a proceeding before the official's agency at the time the behested payment is made or within the past 12 months.

Although California law does not prohibit an official from having either type of relationship, the FPPC determined that these are relationships that the public would want to have disclosed because they raise concerns about the payment transaction, potential self-interest of the official, and the possibility of undue influence over the official.

Regulation 18424.1

Regulation 18424.1 addresses situations where an official has a behested payment reporting duty, but a payee has not complied promptly with the official's request for payment information.

Under existing law, an official may file a behested payment report with the verification that states the official "has used all reasonable diligence in its preparation," and that it is "true and complete" to the

best of the official's knowledge. A behested payment report can then be amended by the official if they later become aware that the report was incorrect. Moreover, an official may note in a behested payment report that the information in the report is incomplete. However, they must comply with the 30-day filing requirement, explain why the information is incomplete, and file an amended report when more information is obtained.

Regulation 18424.1 is intended to make this process easier and more transparent by allowing an official to provide a "good faith estimate" of the information, as long as the official makes reasonable efforts and is unable to obtain the necessary information from a payee. It also requires the official to amend the report with corrected information within 10 days of receiving the information from the payee.

Regulation 18424.2

Regulation 18424.2 clarifies that, when an official acts in concert with a charitable organization in a fundraising solicitation *and* is featured in the solicitation, the official must report resulting payments on a behested payment report. Thus, the regulation clarifies that being featured in a solicitation, by itself, does not raise behested payment reporting duties for an official.

The regulation provides that a solicitation "features" an elected official (1) where the solicitation includes the official's photograph or signature, or the solicitation singles out the official's name or office in the layout of the document; or (2) when the solicitation includes a roster or letterhead listing its governing board, the official's name is included in the list, and the board includes a majority of elected officers or Public Utility Commission members.

Regulation 18424.3

Regulation 18424.3 addresses a specific type of charitable giving that presents additional challenges in understanding behested payments: donor-advised funds. A donor-advised fund is a separately identified

fund maintained and operated by a section 501(c)(3) organization known as a sponsoring organization. Each donor-advised fund account is composed of contributions made by individual donors. Once the donor makes the contribution, the sponsoring organization has legal control over it. However, the donor, or the donor's representative, retains advisory privileges with respect to the distribution of funds and the investment of the assets in the account.

Regulation 18424.3 requires that when a behested payment is made from a donor-advised fund, that the "name of the payor" on the behested payment report includes the name of the sponsoring organization, the name of the donor-advised fund, and the name of the donor to the extent the information is known to the official. The regulation places a duty on the official to inquire with the sponsoring organization as to the parties' identities. If the official learns the identity of the donor or donor-advised fund with greater specificity after a behested payment report is filed, the official must amend the report with the information within 10 days of receiving the additional information.

As always, city officials should seek advice from either their city attorney or the [FPFC](#) on how these requirements apply in particular situations.



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Coastal Commission adopts Cal Cities-sponsored sea level rise adaptation guidance

Dec 15, 2021

The California Coastal Commission has approved a suite of documents to help local governments plan for and address sea level rise while maintaining local decision-making. The documents were prepared by a working group comprised of representatives from the League of California Cities [Coastal Cities Group](#) Leadership Committee, the California State Association of Counties, and the Coastal Commission. The guidance will help improve collaboration between the three groups and acknowledges that there is no one-size-fits-all approach to sea level rise adaptation.

The working group presented the following [living documents](#) for a vote on Wednesday, which the Coastal Commission unanimously approved:

- A framework for a phased approach to local coastal plan updates
- A call for regional approaches to resiliency and adaptation
- A conflict resolution process that supports efficient local coastal plan updates
- A “quick links” document that includes resources for sea level rise planning and local coastal program updates

The framework supports more frequent, incremental updates to local coastal plans that are backed by the best available science, vulnerability assessments, risk disclosures, and risk policies. The

framework also includes a list of recently certified local coastal plans that meet these criteria.

The regional approaches document lays out the advantages and challenges of a regional approach to sea level rise adaptation, which the working group generally endorses. The document demonstrates the working group's continued commitment to securing regional funding and to the development of pilot programs that support regional and phased approaches to sea level rise planning.

The conflict resolution process establishes agreed-upon goals and strategies for coordination. It details a process to identify and elevate conflicts and provides a clear path to resolution for both parties, particularly when updating local coastal plans. The document will help ensure that local governments and the Coastal Commission are working constructively and collaboratively.

The quick links document includes key sources of information on sea level rise planning, adaptation, and best available science in a concise and approachable format. This document can be used by staff, decision-makers, and other stakeholders as a primer on the many different elements of sea level rise planning, such as residential needs, infrastructure considerations, and predicted changes to the coast.

The working group will continue to develop collaborative strategies and guidance for coastal communities in 2022. The Coastal Commission anticipates holding a local government workshop about local coastal issues in early spring of next year.



Register now for the 2022 New Mayors and Council Members Academy

Nov 3, 2021

Join the League of California Cities for four days of virtual educational sessions and peer-to-peer sharing at the 2022 New Mayors and Council Members Academy, taking place January 20, 21, 27, and 28, 2022!

This virtual conference is a must-attend for newly elected officials or seasoned mayors and council members who would like a refresher course on the basic legal and practical framework in which city officials operate. Delve into critical training on important, fundamental topics for local government taught by peers and subject matter experts.

Session topics include:

- Relationships between city council and city management
- Effective advocacy and key city issues
- Diversity, equity, and inclusion
- How Cal Cities supports you
- Legal powers and obligations
- Policy role in land use planning
- Communications and civic engagement
- Financial responsibilities
- How to conduct an effective and respectful council meeting
- And more to be announced!

Registration for Cal Cities Members starts at \$250! Can't make it to a particular live session or the full day? In addition to access to all live sessions, session materials, and virtual networking opportunities, registering for the conference grants you access to all session recordings for later viewing for a limited time. Join Cal Cities for a can't-miss opportunity to sharpen your skills as you prepare your city for the future.

Registration closes January 14. Visit the online event page for more information, including the conference schedule. For questions about registration, contact Conference Registrar Megan Dunn at mdunn@calcities.org. For all other questions, contact Education and Events Manager Christina George at cgeorge@calcities.org.

CARPINTERIA LIBRARY BOARD OF TRUSTEES
5775 Carpinteria Avenue
Carpinteria, CA 93013

MEETING AGENDA
MONDAY, JANUARY 10, 2022
5:30 P.M.

-
1. Call to order and roll call.
 2. Confirmation of legal noticing and procedural requirements of meeting.
 3. Public Comment – This is the time for public comments on matters not otherwise on the agenda but within the subject matter of Carpinteria Library Board of Trustees.
 4. Approval of minutes of regular meeting held December 13, 2021.
 5. Adjournment.

The Carpinteria Library Board of Trustees agenda and any associated staff reports will be available on Thursday, January 6, 2021 on the City's Website: <https://carpinteria.ca.us/city-hall/agendas-meetings/>. The Carpinteria Library Board of Trustees agenda and staff reports are part of the City Council agenda for its regular meeting of January 10, 2022. Please see "[TEMPORARY ADJOURNMENT FOR THE PURPOSE OF HOLDING THE MONTHLY MEETING OF THE CARPINTERIA LIBRARY BOARD OF TRUSTEES](#)." Details and procedures on how to provide public comment and participate in the meeting through telephonic means are available on the posted City Council agenda at <https://carpinteria.ca.us/city-hall/agendas-meetings/>.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact Brian Barrett, Acting City Clerk at brianb@ci.carpinteria.ca.us or (805) 755-4446. Notification two business days prior to the meeting will enable the City to make reasonable arrangements for accessibility to this meeting.

CARPINTERIA LIBRARY BOARD OF TRUSTEES
5775 Carpinteria Avenue
Carpinteria, CA 93013

MEETING MINUTES
MONDAY, DECEMBER 13, 2021

1. Call to order and roll call.

President Nomura called the meeting to order at 5:34 pm.

Boardmembers present: Boardmember Natalia Alarcon
Boardmember Gregg A. Carty
Boardmember Roy Lee
Vice President Al Clark
President Wade T. Nomura

Staff members present: Dave Durflinger, Chief Executive Officer
Michael Ramirez, Assistant Chief Executive Officer
Jena Shoaf Acos, on behalf of Brownstein Hyatt
Farber Schreck, LLP acting as City Attorney of the
City of Carpinteria
Brian C. Barrett, Acting Secretary
Olivia Uribe Mutal, Program Manager

2. Confirmation of legal noticing and procedural requirements of meeting.

Acting Secretary Barrett acknowledged that all legal noticing and procedural requirements have been met.

3. Public Comment

There was no public comment.

4. Approval of minutes of regular meeting held November 8, 2021.

Motion by Vice President Clark, seconded by Boardmember Lee, to approve the minutes of the regular meeting held November 8, 2021. The voice vote was as follows:

AYES: Boardmember Alarcon, Boardmember Carty, Boardmember Lee, Vice President Clark, and President Nomura

NOES: None

ABSENT: None

ABSTAIN: None

The motion carried unanimously.

5. Resolution No. 6078, commending and congratulating Library card design contest winner, Iltze Alvarado, and approving use of the winning design for the City's inaugural Library card.

Recommendation: Approve and adopt Resolution No. 6078, commending and congratulating Library card design contest winner, Iltze Alvarado, and approving use of the winning design for the City's inaugural Library card.

Program Manager Uribe Mutal presented the staff report.

Motion by Vice President Clark, seconded by Boardmember Alarcon, to approve and adopt Resolution No. 6078, commending and congratulating Library card design contest winner, Iltze Alvarado, and approving use of the winning design for the City's inaugural Library card. The voice vote was as follows:

AYES: Boardmember Alarcon, Boardmember Carty, Boardmember Lee, Vice President Clark, and President Nomura

NOES: None

ABSENT: None

ABSTAIN: None

The motion carried unanimously.

Ms. Alvarado thanked everyone and said it was an honor to be selected.

Mayor Nomura and the City Council presented Ms. Alvarado with adopted Resolution No. 6078.

6. Adjournment.

President Nomura adjourned the meeting at 5:44 p.m.

Brian C. Barrett, Acting Secretary