



**CITY COUNCIL
MEETING MINUTES
Tuesday, September 21, 2021**

Closed Session – 4:00 PM
Regular Session - 5:30 PM
City Hall
130 Cremona Drive, Suite B
Goleta, California

This Virtual Meeting is held pursuant to the Governor's Executive Orders N-29-20 issued by Governor Gavin Newsom on March 17, 2020 and N-08-21 issued by Governor Gavin Newsom on June 11, 2021

Members of the City Council

Paula Perotte, Mayor
James Kyriaco, Mayor Pro Tempore
Roger S. Aceves, Councilmember
Stuart Kasdin, Councilmember
Kyle Richards, Councilmember

Michelle Greene, City Manager
Deborah S. Lopez, City Clerk
Michael Jenkins, City Attorney

4:00 P.M. - CLOSED SESSION

CALL TO ORDER

Mayor Perotte called the meeting to order at 4:00 P.M.

ROLL CALL OF CITY COUNCIL

PRESENT: Mayor Perotte, Mayor Pro Tempore Kyriaco, Councilmembers Aceves, Kasdin, and Richards

ABSENT: None

OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS

None

CLOSED SESSION

Michael Jenkins, City Attorney, read into the record Closed Session items as follows:

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to the provisions of Government Code Section §54957.6:

Agency Designated Representatives:

Michelle Greene, City Manager

Kristy Schmidt, Assistant City Manager

Michael Jenkins, City Attorney

Employee Organization:

Goleta General Employees Unit and Goleta Miscellaneous Employees Unit

PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS

Government Code Section § 54957 (b)(1)

Title: City Manager

Title: City Attorney

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4) with regard to one potential case.

RECESS TO CLOSED SESSION AT 4:02 P.M.

5:30 P.M. - REGULAR AGENDA

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Perotte called the meeting to order at 5:39 P.M., followed by the Pledge of Allegiance.

ROLL CALL OF CITY COUNCIL

PRESENT: Mayor Perotte, Mayor Pro Tempore Kyriaco, Councilmembers Aceves, Kasdin, and Richards

ABSENT: None

REPORT FROM CLOSED SESSION

Michael Jenkins, City Attorney, reported on Closed Session matters as follows:

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to the provisions of Government Code Section §54957.6:

Agency Designated Representatives:

Michelle Greene, City Manager

Kristy Schmidt, Assistant City Manager

Michael Jenkins, City Attorney

Employee Organization:

Goleta General Employees Unit and Goleta Miscellaneous Employees Unit

Action: No reportable action

PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS

Government Code Section § 54957 (b)(1)

Title: City Manager

Title: City Attorney

Action: No reportable action

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4) with regard to one potential case.

Action: No reportable action

PUBLIC FORUM

Cecilia Brown expressed displeasure to Goleta hotels housing UCSB students and as a result, the City losing transient occupancy tax revenue.

AMENDMENTS OR ADJUSTMENTS TO AGENDA

Michelle Greene, City Manager, reported that Item A.6 - Professional Services Agreement with FM3 Research, Inc. to Conduct Polling and Public Opinion Research Services for a Potential November 2022 Sales Tax Measure, staff failed to include revenue options in the staff report, the report has been amended to include additional funding information.

A. CONSENT CALENDAR

A.1 Approval of the September 7, 2021 City Council Meeting Minutes

Approve the September 7, 2021 City Council Meeting Minutes.

Approval of the September 7, 2021 City Council Meeting Minutes

MOTION: Councilmember Kasdin/Mayor Pro Tempore Kyriaco to approve the September 7, 2021 City Council Meeting Minutes.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Kyriaco, Councilmembers Aceves, Kasdin, and Richards. Noes: None.

A.2 Ratification of Mayoral Appointments to the Public Engagement Commission, Parks and Recreation Commission , Library Advisory Commission and Santa Barbara County Library Advisory Committee

A. Ratify the mayoral reappointments of Barbara Massey and Beth Schneider to the Public Engagement Commission for terms ending November 2023, and ratify the appointment of Kyle Yao (Youth Member) to the Public Engagement Commission for a term ending September 21, 2022;B. Ratify the mayoral appointment of Sarah Dent to the Parks and Recreation Commission (Student Member) for a term ending date of September 21, 2022;C. Ratify the mayoral appointment of Lori Goodman to the Library Advisory Commission for a term ending June 30, 2024;D. Ratify the Santa Barbara County Board of Supervisors' selection of Dave Callanan to the City of Goleta Library Advisory Commission representing the unincorporated area of the City of Goleta with a term ending June 30, 2024; andE. Ratify the mayoral appointment of Jane Gray to the Santa Barbara County Library Advisory Committee for a term ending June 30, 2022.

Ratification of Mayoral Appointments to the Public Engagement Commission, Parks and Recreation Commission , Library Advisory Commission and Santa Barbara County Library Advisory Committe

MOTION: Councilmember Kasdin/Mayor Pro Tempore Kyriaco to A. Ratify the mayoral reappointments of Barbara Massey and Beth Schneider to the Public Engagement Commission for terms ending November 2023, and ratify the appointment of Kyle Yao (Youth Member) to the Public Engagement Commission for a term ending September 21, 2022; B. Ratify the mayoral appointment of Sarah Dent to the Parks and Recreation Commission (Student Member) for a term ending date of September 21, 2022; C. Ratify the mayoral appointment of Lori Goodman to the Library Advisory Commission for a term ending June 30, 2024; D. Ratify the Santa Barbara County Board of Supervisors' selection of Dave Callanan to the City of Goleta Library Advisory Commission representing the unincorporated area of the City of Goleta with a term ending June 30, 2024; and E. Ratify the mayoral appointment of Jane Gray to the Santa Barbara County Library Advisory Committee for a term ending June 30, 2022.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Kyriaco, Councilmembers Aceves, Kasdin, and Richards. Noes: None.

A.3 Acceptance of the August 2021 Check Register

Accept the check register for the month of August 2021.

Acceptance of the August 2021 Check Register

MOTION: Councilmember Kasdin/Mayor Pro Tempore Kyriaco to accept the check register for the month of August 2021.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Kyriaco, Councilmembers Aceves, Kasdin, and Richards. Noes: None.

A.4 Acceptance of the August 2021 Investment Transaction Report

Accept the investment transaction report for the month of August 2021.

Acceptance of the August 2021 Investment Transaction Report

Public Comment Received

Staff Speaker:
Luke Rioux, Finance Director

Public Speaker:
Cecilia Brown expressed concerns over concentration of City funds in one bank and requested the Finance and Audit Committee address the issue.

MOTION: Councilmember Kasdin/Mayor Pro Tempore Kyriaco to accept the investment transaction report for the month of August 2021.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Kyriaco, Councilmembers Aceves, Kasdin, and Richards. Noes: None.

A.5 Annual Review and Adoption of City's Investment Policy

Adopt Resolution No. 21- _entitled, "A Resolution of the City Council of the City of Goleta, Adopting the City of Goleta Investment Policy and Rescinding Resolution No. 20-03."

Annual Review and Adoption of City's Investment Policy

MOTION: Councilmember Kasdin/Mayor Pro Tempore Kyriaco to adopt Resolution No. 21-39 entitled, "A Resolution of the City Council of the City of Goleta, Adopting the City of Goleta Investment Policy

and Rescinding Resolution No. 20-03."
VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Kyriaco, Councilmembers Aceves, Kasdin, and Richards. Noes: None.

A.6 Professional Services Agreement with FM3 Research, Inc. to Conduct Polling and Public Opinion Research Services for a Potential November 2022 Sales Tax Measure

Authorize the City Manager to execute Professional Services Agreement No. 2020-XXX with FM3 Research, Inc. in the amount not-to-exceed \$56,300, for polling and public opinion research services related to a potential November 2022 sales tax measure, with a term beginning October 1, 2021 and expiring December 31, 2022.

Amended Staff Report - Professional Services Agreement with FM3 Research, Inc. to Conduct Polling and Public Opinion Research Services for a Potential November 2022 Sales Tax Measure

Previous Version - Professional Services Agreement with FM3 Research, Inc. to Conduct Polling and Public Opinion Research Services for a Potential November 2022 Sales Tax Measure

MOTION: Councilmember Kasdin/Mayor Pro Tempore Kyriaco to authorize the City Manager to execute Professional Services Agreement No. 2021-- with FM3 Research, Inc. in the amount not-to-exceed \$56,300, for polling and public opinion research services related to a potential November 2022 sales tax measure, with a term beginning October 1, 2021 and expiring December 31, 2022.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Kyriaco, Councilmembers Aceves, Kasdin, and Richards. Noes: None.

A.7 Temporary On-Street Parking Restrictions for the 2021 Isla Vista Halloween Event

Adopt Resolution No. 21-__ entitled, "A Resolution of the City Council of the City of Goleta, California Establishing Temporary Resident-Only On-Street Parking Restrictions Related to the 2021 Isla Vista Halloween Event."

Temporary On-Street Parking Restrictions for the 2021 Isla Vista Halloween Event

MOTION: Councilmember Kasdin/Mayor Pro Tempore Kyriaco to adopt Resolution No. 21-40 entitled, "A Resolution of the City Council of

the City of Goleta, California Establishing Temporary Resident-Only On-Street Parking Restrictions Related to the 2021 Isla Vista Halloween Event."

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Kyriaco, Councilmembers Aceves, Kasdin, and Richards. Noes: None.

A.8 Award of Agreement for Annual Citywide Median Island Landscape Services to Oakridge Landscape Inc. for Fiscal Year 2022 through 2025

Authorize the City Manager to execute an agreement for Annual Citywide Median Island Landscape Services with Oakridge Landscape, Inc. for an annual base contract amount of \$79,940.00, and for a total contract not-to-exceed amount of \$319,760.00 with a termination date of June 30, 2025.

Award of Agreement for Annual Citywide Median Island Landscape Services to Oakridge Landscape Inc. for Fiscal Year 2022 through 2025

MOTION: Councilmember Kasdin/Mayor Pro Tempore Kyriaco to authorize the City Manager to execute an agreement for Annual Citywide Median Island Landscape Services with Oakridge Landscape, Inc. for an annual base contract amount of \$79,940.00, and for a total contract not-to-exceed amount of \$319,760.00 with a termination date of June 30, 2025.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Kyriaco, Councilmembers Aceves, Kasdin, and Richards. Noes: None.

A.9 Title 17 (Zoning) Amendments Ordinance Second Reading (Case No. 21-0001-ORD)

Conduct second reading (by title only, waiving further reading) and adopt Ordinance No. 21- , entitled "An Ordinance of the City Council of the City of Goleta, California, Adopting Various Amendments to Title 17 of the Goleta Municipal Code."

Title 17 (Zoning) Amendments Ordinance Second Reading (Case No. 21-0001-ORD)

MOTION: Councilmember Kasdin/Mayor Pro Tempore Kyriaco to conduct second reading (by title only, waiving further reading) and adopt Ordinance No. 21-07, entitled "An Ordinance of the City Council of the City of Goleta, California, Adopting Various Amendments to Title 17 of the Goleta Municipal Code."

VOTE: Motion approved by the following roll call vote: Ayes: Mayor

Perotte, Mayor Pro Tempore Kyriaco, Councilmembers Aceves, Kasdin, and Richards. Noes: None.

B. DISCUSSION/ACTION ITEM

B.1 Ordinance Banning Sales of Flavored Tobacco Products

Introduce and conduct the first reading (by title only and waive further reading) of City Council Ordinance No. 21-__ entitled "An Ordinance of the City of Goleta, California, Amending Chapter 5.07 of Title 5 of the Goleta Municipal Code Banning the Sales of Flavored Tobacco Products."

Ordinance Banning Sales of Flavored Tobacco Products

Public Comment Received

Staff Speakers:

Winnie Cai, Assistant City Attorney

Renata Valladares, Program Coordinator, Tobacco Prevention & Cannabis Education, Santa Barbara County Public Health Department

Public Speakers:

Sholeh Jahangir, Primo Castro, Hrant Vartzbedian, Tomas Torices, Erica Costa, Melissa Wilkins, Luz Reyes-Martin, Sharon Bifano, Adrian Sanchez, Alejandra Vargas, McKenna Jenkins, Demi Cain, Martha Salazar, Linda Estrada, Valeria Tiburcio Romo, Don Goldberg, Lori Bremner, Yadira Barojas, Jessica Barrington-Trimis, Rima Khoury, Dawn Dunn, Nickita Gupta spoke in support of staff recommendation.

Jaime Rojas, Norris Halak (TR), Luis Esparza, Fouad Karoum, George Johnson spoke in opposition to staff recommendation. Niamh Donoghue suggested an exemption for Hookahs.

All comments received have been posted online:

McKenna Jenkins, Jaime Rojas, Dr. Cherylin Lew, Ector Flores, Goleta Smoke Shop, Jasmine McKinney, Jeffrey C. Fried, Joan Hartmann, Lindsey Freitas, Marjorine Newman, Nickita Gupta, Norris Halak, Primo Castro, Rima Khoury, Fouad Karroum, Tomas Torices, Yoselin Neri, Omar Gonzalez, Angel Salazar, Ana Anguiano, Juan Anguiano, Sholeh Jahangir, Hugo Alvarado, Daniel Gonzalez, Margaret Weiss, Yaneth L. Rodriguez, Thomas A. Briant, Adriana Sanchez

MOTION: Mayor Perotte/Mayor Pro Tempore Kyriaco to introduce and conduct the first reading (by title only and waive further reading) of City Council Ordinance No. 21-__ entitled "An Ordinance of the

City of Goleta, California, Amending Chapter 5.07 of Title 5 of the Goleta Municipal Code Banning the Sales of Flavored Tobacco Products," as amended to take effect on December 4, 2021.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Kyriaco, Councilmembers Kasdin, and Richards. Noes: Councilmember Aceves.

RECESS 8:51 P.M. - 9:01 P.M.

MOTION: Councilmembers Kasdin/Richards to table Item B.4 - Naming Recommendations for the Monarch Butterfly Recreation Feature at Berkeley Park.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Kyriaco, Councilmembers Aceves, Kasdin, and Richards. Noes: None.

B.4 Naming Recommendations for the Monarch Butterfly Recreation Feature at Berkeley Park

A. Receive the recommendations from the Parks and Recreation Commission and the Standing Naming Committee regarding the Name the Monarch Contest for the Monarch Butterfly recreation feature to be installed at Berkeley Park; and

B. Determine a final name for the Monarch Butterfly recreation feature to be installed at Berkeley Park.

[Naming Recommendations for the Monarch Butterfly Recreation Feature at Berkeley Park](#)

This item was tabled.

[B.2 Adoption of An Urgency Ordinance of the City of Goleta, California, Clarifying the Residential Eviction Moratorium to Comport with State Law and Amending the Repayment Provisions of the Commercial Evictions Moratorium and Setting Forth the Facts Constituting Such Urgency](#)

[By a four-fifths vote, adopt Ordinance No. 21- entitled "An Urgency Ordinance of the City of Goleta, California, Clarifying the Residential Eviction Moratorium to Comport with State Law, and Amending the Repayment Provisions of the Temporary Commercial Evictions Moratorium and Setting Forth the Facts Constituting Such Urgency."](#)

[Adoption of An Urgency Ordinance of the City of Goleta, California, Clarifying the Residential Eviction Moratorium to Comport with State Law and Amending the Repayment Provisions](#)

Staff Speakers:
Michael Jenkins, City Attorney
Winnie Cai, Assistant City Attorney

Public Speakers:
None

MOTION: Mayor Pro Tempore Kyriaco/Councilmember Kasdin to adopt by a four-fifths vote, adopt Ordinance No. 21-08U entitled "An Urgency Ordinance of the City of Goleta, California, Clarifying the Residential Eviction Moratorium to Comport with State Law, and Amending the Repayment Provisions of the Temporary Commercial Evictions Moratorium and Setting Forth the Facts Constituting Such Urgency," as amended , to include ALTERNATIVE LANGUAGE: 1. A tenant must (1) begin repayment of the deferred rent on October 1, 2021; (2) pay 25 percent of the rent owed by January 1, 2022; and (3) complete repayment of the deferred rent no later than March 31, 2022. This period from October 1, 2021 through March 31, 2022 shall be referred to as the "commercial repayment period.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Kyriaco, Councilmembers Aceves, Kasdin, and Richards. Noes: None.

B.3 Award Construction Contract for the 2020-2021 Pavement Rehabilitation Project

A. Authorize an additional appropriation of \$3,900,000 from the General Fund unassigned fund balance to the Pavement Rehabilitation Maintenance account 101-50-5800-51073; B. Authorize the City Manager to execute a construction contract with Toro Enterprises, Inc. for the 2020-2021 Pavement Rehabilitation Project in the not-to-exceed amount of \$5,807,003.10, subject to the requirements of the contract documents; C. Authorize the City Manager to approve contract change orders for the 2020-2021 Pavement Rehabilitation Project, if necessary, in an amount not-to-exceed \$1,161,400.62; and D. Award and authorize the City Manager to execute a Professional Design Services Agreement with Cannon Corporation in an amount not-to-exceed \$700,000 for Construction Management and Inspection services with a termination date of December 31, 2022.

Award Construction Contract for the 2020-2021 Pavement Rehabilitation Project

Public Comment Received

Staff Speakers:

Charles W. Ebeling, Public Works Director

James Campero, Deputy Public Works Director provided a presentation titled "Award Construction Contract for the 2020-2021 Pavement Rehabilitation Project," dated September 21, 2021 (presentation on file).

Public Speakers:

Barry Remis, Coalition for Sustainable Transportation (COAST) and Steve George, Chair, New Town Goleta Safety Committee spoke in support of staff recommendation.

All comments received have been posted online:

Brian Trautwein, Environmental Defense Center, Christie DeGiacomi

MOTION: Councilmembers Aceves/Kasdin to A. Authorize an additional appropriation of \$3,900,000 from the General Fund unassigned fund balance to the Pavement Rehabilitation Maintenance account 101-50-5800-51073; B. Authorize the City Manager to execute a construction contract with Toro Enterprises, Inc. for the 2020-2021 Pavement Rehabilitation Project in the not-to-exceed amount of \$5,807,003.10, subject to the requirements of the contract documents; C. Authorize the City Manager to approve contract change orders for the 2020-2021 Pavement Rehabilitation Project, if necessary, in an amount not-to-exceed \$1,161,400.62; and D. Award and authorize the City Manager to execute a Professional Design Services Agreement with Cannon Corporation in an amount not-to-exceed \$700,000 for Construction Management and Inspection services with a termination date of December 31, 2022.

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Kyriaco, Councilmembers Aceves, Kasdin, and Richards. Noes: None.

[B.5 Fiscal Year 2020/21 Fourth Quarter \(Year-End\) Financial Review \(Unaudited\)](#)

[Adopt Resolution No. 21- entitled, "A Resolution of the City Council of the City of Goleta, California, Amending the City of Goleta's Operating and CIP Budget for Fiscal Year 2020/21."](#)

[Fiscal Year 2020-21 Fourth Quarter \(Year-End\) Financial Review \(unaudited\)](#)

Staff Speakers:

Luke Rioux, Finance Director, provided a presentation titled, "Fiscal Year 2020/21 Fourth Quarter (Year-End) Financial Review (Unaudited)," dated September 21, 2021 (presentation on file).

Public Speakers:

None

MOTION: Councilmember Richards/Mayor Pro Tempore Kyriaco to adopt Resolution No. 21-41 entitled, "A Resolution of the City Council of the City of Goleta, California, Amending the City of Goleta's Operating and CIP Budget for Fiscal Year 2020/21."

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Kyriaco, Councilmembers Aceves, Kasdin, and Richards. Noes: None.

B.6 Resolution Affirming the City of Goleta's Support of Reproductive Freedom

Consider adoption of Resolution No. 21 - , entitled "A Resolution of the City Council of the City of Goleta, California, Affirming Support of Reproductive Freedom."

Resolution Affirming the City of Goleta's Support of Reproductive Freedom

Public Comment Received

Staff Speaker:

Ryan Kintz, Assistant to the City Manager

Public Speaker:

Luz Reyes-Martin spoke in support of staff recommendation.

All comments received have been posted online:

Christie DeGiacomi, and Audrie Krause.

MOTION: Mayor Pro Tempore Kyriaco/Councilmember Kasdin to adopt Resolution No. 21-42, entitled "A Resolution of the City Council of the City of Goleta, California, Affirming Support of Reproductive Freedom."

VOTE: Motion approved by the following roll call vote: Ayes: Mayor Perotte, Mayor Pro Tempore Kyriaco, Councilmembers Aceves, Kasdin, and Richards. Noes: None.

C. COUNCIL COMMENTS/ STANDING COMMITTEE REPORTS

Councilmember Richards reported participated in Coastal Clean Up Day and thanked City staff for organizing the event and Coffee with a Cop event at the Goodland Hotel.

Councilmember Kasdin reported participated in Coastal Clean Up Day.

Mayor Pro Tempore Kyriaco thanked Councilmember Kasdin and Councilmember Richards and city staff for participating in Coastal Clean Up Day.

D. CITY MANAGER/STAFF REPORT

Michelle Greene, City Manager, noted a record amount of trash was collected during Coastal Clean up day, and noted Creek Week was still going on if the public wanted to volunteer and directed the public to the City's website.

E. CITY ATTORNEY REPORT

None

ADJOURNED AT 9:55 P.M.

GOLETA CITY COUNCIL

PAULA PEROTTE,
MAYOR

ATTEST:

DEBORAH S. LOPEZ
CITY CLERK