



Amended

City Council

Agenda

Tuesday, September 5, 2023

Closed Session 4:30 P.M./Regular Meeting 5:30 P.M.

City Hall
130 Cremona Dr.
Goleta, CA

Members of the City Council

Mayor Paula Perotte

Mayor Pro Tempore Kyle Richards

Councilmember Stuart Kasdin

Councilmember Luz Reyes-Martín, District 1

Councilmember James Kyriaco, District 2

Robert Nisbet, City Manager

Megan Garibaldi, City Attorney

Deborah S. Lopez, City Clerk

IMPORTANT NOTICE REGARDING THE CITY COUNCIL MEETING

The City of Goleta currently provides in person participation as well as virtual participation until further notice. The public may alternatively view the meeting on Goleta Channel 19 and/or online at www.cityofgoleta.org/meetings-agendas and in the Council Chambers.

PUBLIC PARTICIPATION

Speaking at the Meeting - Submit an email to the City Clerk at cityclerkgroup@cityofgoleta.org which states the item you want to speak to and provide your name, email and phone number.

FOR CLOSED SESSION PARTICIPATION

By phone -

- Email cityclerkgroup@cityofgoleta.org to be added to the speaker list. Please state your name, your phone number and indicate which closed session item you would like to speak on.
- Dial-in 10 minutes prior to the start of the meeting (4:20 pm): Toll-Free Dial-in: (866)580-6521, Participant passcode: 72295187 then #
- Please mute your phone until you are called to speak. If you do not have a mute button, you may mute by pressing the star key followed by the number six (* 6). You can unmute by pressing the same keys (* 6). Comments from the public are limited to three (3) minutes per speaker.

INSTRUCTIONS FOR USING ZOOM

- Join the meeting using the link below.
- You must have audio and microphone capabilities on the device you are using to join the meeting.
- When you join the meeting make sure that you join the meeting with audio and follow the prompts to test your speaker & microphone prior to joining the meeting.

TO SPEAK ON AN ITEM USING ZOOM

- The Mayor will call the item and staff will begin the staff report.
- Click on the Raise Hand icon if you would like to speak on the item.
- The City Clerk will call your name when it's your turn to speak.
- When your name is called, you will be prompted to unmute yourself.
- When your time is up, you will be muted.
- You will repeat this process for each item you want to speak on.

FOR OPEN SESSION PARTICIPATION

Join Meeting Electronically at:

https://us06web.zoom.us/webinar/register/WN_H-PIK2RZQi6xkgCLDdc9jw

- Join via audio

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Or, dial: US: +1 669 900 6833 or +1 408 638 0968 or +1 669 444 9171 or +1 719 359 4580 or
+1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 689 278 1000 or +1 301 715
8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623 or +1
386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 876 9923 or +1 646 931 3860

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Passcode: 146265

ADDITIONAL PUBLIC PARTICIPATION ALTERNATIVES:

Distribution to the City Council - Submit your comment via email to the City Clerk at: cityclerkgroup@cityofgoleta.org. Your comment will be placed into the record and distributed appropriately.

AMERICANS WITH DISABILITIES ACT:

In compliance with the ADA, if assistance is needed to participate in a City Council meeting (including assisted listening devices), please contact the City Clerk's office at (805) 961-7505. Notification at least 48 hours prior to the meeting helps to ensure that reasonable arrangements can be made to provide accessibility to the meeting.

TELEVISION COVERAGE:

Each regular City Council meeting is broadcast live on Goleta City TV Cox Communications Channel 19 on the 1st and 3rd Tuesdays and rebroadcast on Wednesdays and Saturdays at 10:00 a.m. and 5:00 p.m.

WEB STREAMING:

Live or archived webstreaming of the City Council meetings is available at www.cityofgoleta.org/meetings-agendas

WRITTEN SUBMITTALS TO COUNCIL:

Written submittals concerning agenda items may be sent to the City Clerk email: cityclerkgroup@cityofgoleta.org; or mail: Attn: City Council and City Clerk at 130 Cremona Drive, Goleta, California 93117.

4:30 P.M. - CLOSED SESSION**CALL TO ORDER****ROLL CALL OF CITY COUNCIL****OPPORTUNITY FOR PUBLIC TO ADDRESS CLOSED SESSION MATTERS****RECESS TO CLOSED SESSION****CLOSED SESSION**

Pursuant to the provisions of Government Code Section 54956.8, the City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the City in real property negotiations.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to the provisions of Government Code Section 54956.8 with regard to the following matter:

Property: APN 073-610-003

Agency Negotiator: Robert Nisbet, City Manager

Negotiating Party: Steve Leonard, RAF Pacifica Group

Under Negotiations: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to the provisions of Government Code Section 54956.8 with regard to the following matter:

Property: APN 071-130-009

Agency Negotiator: Robert Nisbet, City Manager

Negotiating Party: Conrad Tedeschi, Assistant Superintendent, Fiscal Services, Goleta Union School District

Under Negotiations: Price and Terms

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to the provisions of Government Code Section 54956.8 with regard to the following matter:

Property: APN 071-170-079, 071-170-080 & 071-170-083

Agency Negotiator: Robert Nisbet, City Manager

Negotiating Party: John Lund, Thornwood Real Estate, LLC

Under Negotiations: Price and Terms

5:30 P.M. - REGULAR AGENDA**CALL TO ORDER AND PLEDGE OF ALLEGIANCE****ROLL CALL OF CITY COUNCIL****REPORT FROM CLOSED SESSION****PUBLIC FORUM**

At this time the public shall have an opportunity to comment on any non-agenda item relevant to the jurisdiction of the City. Reasonable time limits are imposed on each topic and each speaker. In accordance with the provisions of the Ralph M. Brown Act (GC § 54950 et seq.), no action or discussion may take place by the Council on any item not on the posted agenda. The Council may respond to statements made or questions asked, and may direct the staff to report back on the topic at a future meeting.

AMENDMENTS OR ADJUSTMENTS TO AGENDA**CITY MANAGER/STAFF REPORT**

- Plastic Free Goleta
- Important Cultural Observances
- September 15 - October 15, 2013 Hispanic Heritage Month
- September 15 & 16, 2023 Independence "Weekend"

A. CONSENT CALENDAR**A.1 [23-384](#) Approval of the City Council Meeting Minutes of August 15, 2023**

Recommendation: Approve the City Council Meeting Minutes of August 15, 2023.

Staff: Deborah S. Lopez, City Clerk

A.2 [23-417](#) Ratification of Mayoral Appointment to the Public Engagement Commission

Recommendation: Ratify the mayoral appointment of Jessica Avila-Ruiz to the Public Engagement Commission (Youth Member) for a term ending September 2025.

Staff: Deborah S. Lopez, City Clerk
Liana Campos, Deputy City Clerk

A.3 [23-418](#) Cooperative Purchase Agreement of HVAC Equipment and Services

Recommendation:

- A. Authorize the City Manager or his designee to award purchase orders and execute all required documents using the 791Coop cooperative purchase agreement (Contract No. 202207002A) with Carrier Global Corporation for HVAC Equipment and Services, for a total not-to-exceed amount of \$150,000 through the term of the agreement, subject to Council approval of sufficient budget in future fiscal years; and
- B. Authorize a budget appropriation in the amount of \$73,115 from the Facility Repair and Replacement Reserve to the General Fund Facilities Maintenance account.

Staff:

Matthew R. Fore, General Services Director

A.4 [23-394](#) Amendment 2 to Professional Services Agreement 2021-092 with MNS Engineers, Inc.

Recommendation:

Authorize the City Manager to execute Amendment No. 2 to Professional Services Agreement No. 2021-092 with MNS Engineers, Inc. for Project Management Support Services, increasing the contract authority by \$80,000, for a new total not-to-exceed contract amount of \$244,000 and extending the termination date to December 30, 2024.

Staff:

Charles W. Ebeling, Public Works Director
Autumn Glaeser, Capital Improvement Program Manager

A.5 [23-392](#) Amendment No. 1 to Professional Design Services Agreement 2021-064 with Bengal Engineering, Inc. for the Storke Road/Hollister Avenue Transit, Bike Path and Median Improvement Project

Recommendation:

Authorize the City Manager to execute Amendment No. 1 to Professional Design Services Agreement No. 2021-064 with Bengal Engineering, Inc. for the Storke Road/Hollister Avenue Transit, Bike Path, and Median Improvement Project, increasing the contract authority by \$34,200, for a new total not-to-exceed amount of \$265,023, with an expiration date of December 31, 2025.

Staff:

Charles W. Ebeling, Public Works Director
Kent Yankee, Contract Project Manager

A.6 [23-395](#) Amendment No. 1 to Professional Services Agreement 2023-036 with On Track Solutions, LLC

Recommendation: Authorize the City Manager to execute Amendment No. 1 to Professional Services Agreement No. 2023-036 with On Track Solutions, LLC, for San Jose Creek Multipurpose Path Northern and Southern Segments (CIP 9006), increasing the contract amount by \$42,580, for a new total not-to-exceed amount of \$87,130.

Staff: Charles W. Ebeling, Public Works Director
Teresa Lopes, Senior Project Engineer

A.7 [23-419](#) Amendment No. 2 with Rincon Consultants, Inc. for 2023 Winter Storm Emergency Repair Services for March Emergency Storm Projects

Recommendation: Authorize the City Manager to execute Amendment No. 2 to Professional Services Agreement No. 2023-073 with Rincon Consultants, Inc. for professional services related to the 2023 Winter Storm Emergency Repair March Projects, increasing the contract amount by \$266,964 for new total not-to-exceed amount of \$311,963.

Staff: Charles W. Ebeling, Public Works Director
Daniel Virgen Jr, Assistant Engineer

A.8 [23-406](#) Amendment to the Professional Services Agreement No. 2023-051 with Veronica Tam and Associates, Inc.

Recommendation: Authorize the City Manager to execute Amendment No. 1 to Professional Services Agreement No. 2023-051 with Veronica Tam and Associates, Inc., amending the scope of work for continued Housing Element Professional Services and increasing the maximum contract amount by \$43,000, for a total not-to-exceed amount of \$87,900.

Staff: Peter Imhof, Planning and Environmental Review Director
Anne Wells, Advance Planning Manager
Andy Newkirk, Supervising Senior Planner
Stefanie Edmondson, Senior Planner

A.9 [23-401](#) Covenant and Use Agreement between 550 S. Patterson Avenue and 5305 Ekwil Street; APNs 065-090-029 and 065-090-040

Recommendation: Authorize the City Manager to execute the Covenant and Use Agreement Regarding Use and Maintenance of Buildings located at 550 S. Patterson Avenue and 5305 Ekwil Street.

Staff: Peter Imhof, Planning and Environmental Review Director
Lisa Prasse, Current Planning Manager
Luisa Negrete, Planning Permit Technician

A.10 [23-428](#) Second Reading of Ordinance Adding Chapter 9.02 to the Goleta Municipal Code Authorizing the Operation of Bingo Games by Qualifying Organizations

Recommendation: Conduct second reading (by title only) and waive further reading of Ordinance No. 23-___ entitled "An Ordinance of the City Council of the City of Goleta, California, Adding Chapter 9.02 to Title 9 of the Goleta Municipal Code Authorizing the Operation of Bingo Games by Qualifying Organizations."

Staff: Megan Garibaldi, City Attorney
Winnie Cai, Assistant City Attorney

A.11 [23-429](#) Second Reading of Ordinance Amending Chapter 9.09 of the Goleta Municipal Code Regarding Noise Restrictions

Recommendation: Conduct second reading (by title only) and waive further reading of Ordinance No. 23-___ entitled "An Ordinance of the City of Goleta, California, Amending Chapter 9.09 of Title 9 of the Goleta Municipal Code Regarding Restricted Noises."

Staff: Megan Garibaldi, City Attorney
Winnie Cai, Assistant City Attorney

B. PRESENTATION

B.1 [23-416](#) A Proclamation of the City Council of the City of Goleta, California, Recognizing September 1-30, 2023, as "Lemon Month"

C. PUBLIC HEARING**C.1 [23-393](#) Proposed Second Amendment to Development Agreement for SyWest/Goleta Gardens LLC, 907 South Kellogg Avenue, APN 071-190-035; Case No 23-0002-ORD**

Recommendation: A. Introduce and conduct the first reading (by title only) and waive further reading of Ordinance No. 23-____, entitled “An Ordinance of the City Council of the City of Goleta, California, Approving a Second Amendment to the Goleta Gardens LLC Development Agreement to Provide that the Term of the Development Agreement Must Not Extend Beyond the Date the Coastal Commission Certifies the City’s Local Coastal Program or December 31, 2024, Whichever Occurs First; 907 S Kellogg Avenue; Case No. 23-0002-ORD.”

B. Find that the Ordinance is Exempt under the California Environmental Quality Act.

C. Direct Staff to file a Notice of Exemption for the proposed Ordinance.

Staff: Peter Imhof, Planning and Environmental Review Director
Lisa Prasse, Current Planning Manager
Kathy Allen, Supervising Senior Planner

Estimated Time: 15 minutes

C.2 [23-408](#) Community Development Block Grant (CDBG) 2022-2023 Consolidated Annual Performance and Evaluation Report (CAPER)

Recommendation: Review and accept the Community Development Block Grant 2022-2023 CAPER and authorize staff to submit the CAPER to the U.S. Department of Housing and Urban Development.

Staff: Jaime A. Valdez, Neighborhood Services Director
Shanna Dawson, Management Analyst

Estimated Time: 15 minutes

D. DISCUSSION/ACTION ITEM**D.1 [23-390](#) Adoption of Affordable Housing Policies and Procedures Manual**

- Recommendation:**
- A. Adopt Resolution No. 23-___, entitled “A Resolution of the City Council of the City of Goleta, California, Adopting the City of Goleta Affordable Housing Policies and Procedures Manual”;
 - B. Find that the Resolution is Exempt under the California Environmental Quality Act; and
 - C. Direct staff to file a Notice of Exemption.

Staff: Peter T. Imhof, Planning and Environmental Review Director
 Lucy Graham, Senior Housing Analyst

Estimated Time: 30 minutes

D.2 [23-379](#) Temporary On-Street Parking Restrictions for the 2023 Isla Vista Halloween Event

- Recommendation:**
- A. Receive a report regarding the latest annual Isla Vista Halloween events and the parking restriction program associated with the events.
 - B. Support a recommendation not to implement temporary on-street parking restrictions related to 2023 Isla Vista Halloween; or
 - C. If Council wishes to move forward with parking restrictions related to 2023 Isla Vista Halloween, adopt Resolution No. 23-___ entitled, “A Resolution of the City Council of the City of Goleta, California Establishing Temporary Resident-Only On-Street Parking Restrictions Related to the 2023 Isla Vista Halloween Event.”

Staff: Jaime Valdez, Neighborhood Services Director
 Michael Baris, Emergency Services Coordinator

Estimated Time: 20 minutes

**D.3 [23-383](#) Consideration of a Reservation Process for Recreation Amenities
in City Parks**

Recommendation: Approve the development of a Reservation Process for specific recreation amenities in City of Goleta Parks.

Staff: Jaime A. Valdez, Neighborhood Services Director
JoAnne Plummer, Parks & Recreation Manager

Estimated Time: 20 minutes

D.4 [23-381](#) Adoption of Policies and Fees for the Goleta Community Garden

Recommendation: Approve the application process, policies and fees associated with the Goleta Community Garden.

Staff: Jaime A. Valdez, Neighborhood Services Director
JoAnne Plummer, Parks and Recreation Manager

Estimated Time: 20 minutes

E. COUNCIL COMMENTS/ STANDING COMMITTEE REPORTS

- 08/30/2023 Public Safety and Emergency Preparedness Standing Committee Meeting

F. CITY ATTORNEY REPORT